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This week's publication includes documents submitted by the following agencies:

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NEW RULES FILED FOR PUBLIC COMMENT THIS WEEK			
AGENCY	**RULE/TYPE**	**AUTHORITY**	**HEARING/COMMENT PERIOD/LOCATION**
Education (126-013C)	Non-public School Accreditation (Policy 2330) Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only June 14, 2021, 4:00 pm Dustin Lambert, Coordinator WVDE Middle and Secondary Learning Svcs. Capitol Bldg. 6, Room 221 1900 Kanawha Blvd. E Charleston, WV 25305 dllambert@k12.wv.us
Education (126-146)	Service Personnel Classification, Competency Testing, and Professional Learning (Policy 5314) Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only June 14, 2021, 4:00 pm Veronica Barron, Coordinator WVDE Advanced Career Education Services Capitol Bldg. 6, Room 825 1900 Kanawha Blvd. E Charleston, WV 25305 vbarron@k12.wv.us
Miners Health Safety and Training (56-03)	Rule Governing the Safety of Those Employed in and Around Surface Mines in WV Legislative	§§22A-1-38, 22A-1-42	Written Comments Only June 7, 2021, 4:00 pm Eugene White, Director Office of Miners' Health, Safety and Training 7 Players Club Dr., Suite 2 Charleston, WV 25311 Eugene.e.white@wv.gov
Miners Health Safety and Training (56-11)	Rule Governing First-Aid Training and Shaft and Slope Employees Legislative	§§22A-1-6, 22A-7-6	Written Comments Only June 7, 2021, 4:00 pm Eugene White, Director Office of Miners' Health, Safety and Training 7 Players Club Dr., Suite 2 Charleston, WV 25311 Eugene.e.white@wv.gov

Secondary School Activities Commission (127-02)	Athletics, Provisions Governing Eligibility Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only June 14, 2021, 4:00 pm Bernie Dolan, Executive Director WV Secondary School Activities Commission 2875 Staunton Turnpike Parkersburg, WV 26104 Bernie.dolan@wvssac.org
Secondary School Activities Commission (127-03)	Provisions Governing Contests Legislative Exempt	§§29A-3B-1, et seq.	Written Comments Only June 14, 2021, 4:00 pm Bernie Dolan, Executive Director WV Secondary School Activities Commission 2875 Staunton Turnpike Parkersburg, WV 26104 Bernie.dolan@wvssac.org
State Emergency Response Commission (55-03)	Requests for Information Pursuant to the Community Right to Know Act Procedural	§15-5A-5(h)	Written Comments Only June 11, 2021, 4:00 pm Lisa Paxton 2403 Fairlawn Avenue Dunbar, WV 25064 lisa.a.paxton@wv.gov
Tax (110-15F)	Sales Tax Holiday Legislative	§11-15-9s(c)	Written Comments Only June 11, 2021, 10:00 am Mark S. Morton PO Box 1005 Charleston, WV 25324-1005 taxlegal@wv.gov

NEW EMERGENCY RULES FILED THIS WEEK

AGENCY	RULE/TYPE	AUTHORITY	EFFECTIVE DATE	DATE NOTICE OF HEARING
Miners Health Safety and Training (56-03)	Rule Governing the Safety of Those Employed in and Around Surface Mines in WV	§§22A-1-38, 22A-1-42	ERD by June 18, 2021	June 7, 2021
Tax (110-15F)	Sales Tax Holiday	§11-15-9s(c)	ERD by June 18, 2021	June 11, 2021

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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

Column	1.	Agency Name, (Title and Series Number)
Column	2.	Rule Title, Price and Type
Column	3.	Date Notice of Public Hearing or Comment Period Filed
Column	4.	Date of Public Hearing or Last Date Comments Will Be Received
Column	5.	Date Emergency Rule Filed, Emergency Amendments Filed, Emergency Rule Decision (ERD) Number & Date ERD Filed (Effective Date of Emergency Rule)
Column	6.	Date Agency Approved Legislative Rules Filed.
Column	7.	Date Review by the Legislative Rule-Making Review Committee & Action Taken **Please Note** The Board of Education, Board of Trustees & Board of Directors File Their Rules With the Educational Over-Sight Committee
Column	8.	Legislative Action
Column	9.	Date Agency Final Files Legislative, Procedural or Interpretive Rules. This is the Final Step for Procedural & Interpretive Rules
Column	10.	Date Rule is Effective

- Emergency rules will not have a "Notice" date until the agency files one, but the rule will appear in Columns 1, 2 & 5. An Agency must file for either a public hearing or public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
- If more than one date appears in a column, it means the agency has repeated that step (ex. - holding an additional public hearing)

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

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TITLE	1	ACCOUNTANCY
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TITLE	3	BARBERS AND COSMETOLOGISTS
TITLE	4	CHIROPRACTIC EXAMINERS
TITLE	5	DENTISTRY
TITLE	6	FUNERAL SERVICE EXAMINERS
TITLE	7	PROFESSIONAL ENGINEERS
TITLE	10	LICENSED PRACTICAL NURSES
TITLE	11	MEDICINE
TITLE	14	OPTOMETRY
TITLE	15	PHARMACY
TITLE	16	PHYSICAL THERAPY
TITLE	17	PSYCHOLOGISTS
TITLE	19	REGISTERED PROFESSIONAL NURSES
TITLE	20	SANITARIANS
TITLE	22	FORESTRY
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TITLE	89	PUBLIC DEFENDER SERVICES
TITLE	90	CORRECTIONS
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TITLE	94	REGIONAL JAIL AND CORRECTIONAL FACILITY AUTHORITY
TITLE	110	TAX DEPARTMENT
TITLE	112	TREASURER
TITLE	114	INSURANCE COMMISSION
TITLE	126	EDUCATION
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TITLE	133	HIGHER EDUCATION POLICY COMMISSION
TITLE	135	COMMUNITY AND TECHNICAL COLLEGE EDUCATION
TITLE	143	PERSONNEL
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RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Air Quality (45-08)	Ambient Air Quality Standards Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020	Bundled HB2382	4/28/2021	6/1/2021
Air Quality (45-16)	Standards of Performance for New Stationary Sources Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020	Bundled HB2382	4/28/2021	6/1/2021
Air Quality (45-18)	Control of Air Pollution from Combustion of Solid Waste Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020	Bundled HB2382	4/28/2021	6/1/2021
Air Quality (45-23)	Control of Air Pollution from Municipal Solid Waste Landfills Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020	Bundled HB2382	4/28/2021	6/1/2021
Air Quality (45-33)	Acid Rain Provisions and Permits Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020	Bundled HB2382	4/28/2021	6/1/2021
Air Quality (45-34)	Emission Standards for Hazardous Air Pollutants Legislative	6/24/2020	7/28/2020		8/26/2020	Approved 9/25/2020	Bundled HB2382	4/28/2021	6/1/2021
Air Quality (45-44)	Control of Greenhouse Gas Emissions from Existing Coal-Fired Electric Utility Generating Units Legislative	6/24/2020	7/28/2020		8/26/2020	Modified & Approved 9/25/2020 Filed 9/28/2020	Bundled HB2382	4/28/2021	6/1/2021
Auditor (155-01)	Standards for Requisitions for Payment Issued by State Officers on the Auditor Legislative	7/13/2020	8/13/2020		8/17/2020	Modified & Approved 11/16/2020 Filed 11/19/2020	Bundled SB182	4/13/2021	5/15/2021
Coal Mine Health and Safety (36-44)	Rule Governing Mine Rescue Requirements for the Office of Miners' Health, Safety and Training Legislative Exempt	5/3/2021	6/17/2021						
Community & Technical College Ed (135-01)	Strengthening Career and Technical Education for the 21st Century Act (Perkins V) Funding Formula for WV Council for Comm. & Tech. College Ed. and WV State Bd. Of Education Procedural	4/28/2021	5/28/2021						
Community & Technical College Ed (135-59)	Awarding Undergraduate College Credit for Prior Learning, Advanced Placement Credit, and College-Level Examination Program Procedural	4/28/2021	5/28/2021						

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Education (126-007)	Regulations for Adult Diversion and Transition Programs (Policy 1471) Legislative Exempt	2/10/2021	3/15/2021					4/15/2021	7/1/2021
Education (126-008)	Drug-Free Workplace (Policy 1461) Legislative Exempt	2/10/2021	3/15/2021					4/15/2021	5/17/2021
Education (126-013C)	Non-public School Accreditation (Policy 2330) Legislative Exempt	5/13/2021	6/14/2021						
Education (126-025A)	Standards for Basic and Specialized Health Care Procedures (Policy 2422.7) Legislative Exempt	3/11/2021	4/12/2021					5/13/2021	7/1/2021
Education (126-030)	Transformative System of Support for Early Literacy (Policy 2512) Legislative Exempt	4/15/2021	5/17/2021						
Education (126-069)	Regulations for Juvenile Diversion and Transition Programs (Policy 2800) Legislative Exempt	4/15/2021	5/17/2021						
Education (126-084)	Student Driver Eligibility Certificate (Policy 4150) Legislative Exempt	3/11/2021	4/12/2021					5/13/2021	7/1/2021
Education (126-143)	County Superintendent Performance Evaluations (Policy 5309) Legislative Exempt	3/11/2021	4/12/2021						
Education (126-146)	Service Personnel Classification, Competency Testing, and Professional Learning (5314) Legislative Exempt	5/13/2021	6/14/2021						
Emergency Management (170-04)	SIRN Emergency Purchasing Procedure Procedural	1/29/2021	3/1/2021						
Emergency Management (170-05)	Purchases During States of Emergency Procedural	1/29/2021	3/1/2021						
Environmental Protection – Secretary's Office (60-03)	Voluntary Remediation and Redevelopment Rule Legislative	7/2/2020	8/11/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/11/2020	Bundled HB2382	4/9/2021	6/1/2021

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Ethics Commission (158-06)	Use of Office for Private Gain, Including Nepotism Legislative	3/22/2021	4/22/2021		5/12/2021				
Fire Commission (87-07)	Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code (Repeal) Legislative	6/22/2020	7/22/2020		8/24/2020	Approved 11/16/2020	Bundled SB156	5/12/2021	5/12/2021
Fire Commission (87-10)	Volunteer Fire Department Equipment and Training Grant Funding Disbursement Legislative	4/12/2021	5/31/2021	3/30/2021 Effective 5/11/2021					
Fire Marshal (103-06)	Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Legislative	6/22/2020	7/22/2020		8/13/2020	Approved 11/16/2020	Bundled SB156	5/12/2021	7/1/2021
Health (64-11)	Behavioral Health Centers Licensure Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 1/4/2021	Bundled HB2427	4/30/2021	6/1/2021
Health (64-12)	Hospital Licensure Legislative	7/1/2020	7/31/2020		8/21/2020	Approved 12/9/2020	Bundled HB2427	4/29/2021	7/1/2021
Health (64-13)	Nursing Home Licensure Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/16/2020	Bundled HB2427	4/29/2021	7/1/2021
Health (64-45)	Lead Abatement Licensing Legislative	7/2/2020	8/3/2020		8/21/2020	Modified & Approved 11/17/2020 Filed 12/10/2020	Bundled HB2427	4/30/2021	7/1/2021
Health (64-48)	Emergency Medical Services Legislative	9/4/2020	10/5/2020	9/4/2020 Approved 9/30/2020 Amendment 10/1/2020 Approved 10/1/2020 Amendment 1/13/2021 Approved 1/13/2021	11/20/2020	Modified & Approved 12/9/2020 Filed 1/4/2021	Bundled HB2427	4/30/2021	7/1/2021

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Health (64-60)	Delegation of Medication Administration and Health Maintenance Tasks to Approved Medication Assistive Personnel Legislative	7/1/2020	7/31/2020		8/21/2020	Modified & Approved 12/9/2020 Filed 12/16/2020	Bundled HB2427	4/29/2021	7/1/2021
Health (64-115)	Diabetes Self-Management Education Legislative	7/2/2020	8/3/2020		8/26/2020	Modified & Approved 11/17/2020 Filed 11/20/2020	Bundled HB2427	4/30/2021	7/1/2021
Health and Human Resources (69-16)	Purchasing Procedures Procedural	3/15/2021	4/14/2021					4/16/2021	5/17/2021
Higher Education Policy Comm. (133-59)	Awarding Undergraduate College Credit for Prior Learning, Advanced Placement Credit, and College-Level Examination Program Procedural	4/30/2021	6/1/2021						
Higher Education Policy Comm. (133-63)	Mental Health Loan Repayment Program Legislative	6/26/2020	7/27/2020	6/26/2020 Effective 6/26/2020	7/29/2020	Approved 3/12/2021	HB3299		
Higher Education Policy Comm. (133-64)	Administrative Exemption Legislative	11/20/2020	12/21/2020		3/11/2021	Modified & Approved 3/12/2021	HB3299		
Highways (157-05)	Traffic and Safety Rules Legislative	7/28/2020	8/28/2020		8/28/2020	Approved 11/17/2020	Bundled HB2400		
Human Services (78-02)	Child Placing Agencies Licensure Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/16/2020	Bundled HB2427	5/11/2021	7/1/2021
Human Services (78-03)	Minimum Licensing Requirements for Residential Child Care and Treatment Facilities for Children and Transitioning Adults and Vulnerable and Transitioning Youth Group Homes and Programs in WV Legislative	7/1/2020	7/31/2020		8/25/2020	Modified & Approved 12/9/2020 Filed 12/15/2020	Bundled HB2427	4/30/2021	7/1/2021
Human Services (78-27)	Procedure to Contest the Substantiation of Child Abuse or Neglect Legislative	7/1/2020	7/31/2020		8/26/2020	Modified & Approved 12/9/2020 Filed 12/15/2020	Bundled HB2427	4/30/2021	7/1/2021

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Insurance Comm. (114-02A)	Fingerprinting Requirements for Applicants for Insurance Producer License and Insurance Adjuster License Legislative	6/18/2020	7/24/2020		7/27/2020	Modified & Approved 9/25/2020 Filed 9/30/2020	Bundled SB160	4/12/2021	7/1/2021
Insurance Comm. (114-25)	Insurance Adjusters Legislative	6/18/2020	7/24/2020		7/27/2020	Modified & Approved 9/25/2020 Filed 9/30/2020	Bundled SB160	4/12/2021	7/1/2021
Insurance Comm. (114-40)	Credit for Reinsurance Legislative	6/18/2020	7/24/2020		7/27/2020	Modified & Approved 9/25/2020 Filed 9/30/2020	Bundled SB160	4/12/2021	7/1/2021
Insurance Comm. (114-42)	Continuing Education for Individual Insurance Producers and Individual Insurance Adjusters Legislative	6/18/2020	7/24/2020		7/27/2020	Approved 9/25/2020	Bundled SB160	4/12/2021	7/1/2021
Labor (42-03)	Steam Boiler Inspection Legislative	7/16/2020	8/17/2020		8/24/2020	Modified w/Certain Amendments & Approved 12/9/2020	Bundled SB216	4/27/2021	6/9/2021
Medicine (11-14)	Registration to Practice During Declared State of Emergency Legislative	4/23/2020	5/23/2020	3/26/2020 Approved 3/26/2020	6/24/2020	Approved 11/16/2020	Bundled SB182		
Miners Health Safety and Training (56-03)	Rule Governing the Safety of Those Employed in and Around Surface Mines in WV Legislative	5/7/2021	6/7/2021	5/7/2021 ERD by 6/18/2021					
Miners Health Safety and Training (56-11, repeal)	Rule Governing First-Aid Training of Shaft and Slope Employees Legislative	5/7/2021	6/7/2021						
Miner Training Education and Certification (48-01)	Standards for Certification of Underground Belt Examiners for Underground Coal Mines Legislative Exempt	5/3/2021	6/17/2021						
Miner Training Education and Certification (48-02)	Safety Training Program for Prospective Underground Coal Miners Legislative Exempt	5/3/2021	6/17/2021						

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AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Miner Training Education and Certification (48-03)	Safety Training Programs for Prospective Surface Coal Miners Legislative Exempt	5/3/2021	6/17/2021						
Miner Training Education and Certification (48-04)	Initial Training Program for Prospective Mine Rescue Team Members and Additional Mine Rescue Requirements Legislative Exempt	5/3/2021	6/17/2021						
Motor Vehicles (91-25)	Special Purpose Vehicles Legislative	7/1/2020	7/31/2020		8/7/2020	Modified & Approved 11/16/2020 Filed 11/17/2020	Bundled HB2400	5/7/2021	6/14/2021
Natural Resources (58-46)	Defining the Terms Used in All Hunting and Trapping Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020	Bundled SB216	4/15/2021	7/1/2021
Natural Resources (58-50)	Deer Hunting Rule Legislative	7/29/2020	8/28/2020		8/28/2020	Modified & Approved 9/25/2020 Filed 9/29/2020	Bundled SB216	4/15/2021	7/1/2021
Natural Resources (58-56)	Special Migratory Game Bird Hunting Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020	Bundled SB216	4/15/2021	7/1/2021
Natural Resources (58-58)	Special Waterfowl Hunting Legislative	7/29/2020	8/28/2020		8/28/2020	Approved 9/25/2020	Bundled SB216	4/15/2021	7/1/2021
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	4/30/2020	5/31/2020	4/30/2020 Approved 4/30/2020 Amendment 8/26/2020 Effective 10/7/2020	6/5/2020				
Pharmacy (15-01)	Licensure and Practice of Pharmacy Legislative	7/22/2020	8/21/2020		8/26/2020	Approved 11/16/2020	Bundled SB182	5/11/2021	6/11/2021
Pharmacy (15-02)	Uniform Controlled Substances Act Legislative	4/30/2020	5/31/2020	4/1/2020 Approved 4/1/2020	6/5/2020				
Pharmacy (15-02)	Uniform Controlled Substances Act Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020	Bundled SB182	5/11/2021	6/11/2021

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Pharmacy (15-03)	Continuing Education for Licensure of Pharmacists Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020	Bundled SB182	5/11/2021	6/11/2021
Pharmacy (15-05)	Licensure of Wholesale Drug Distributors, Third Party Logistics Providers, and Manufacturers Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020	Bundled SB182	5/11/2021	6/11/2021
Pharmacy (15-08)	Controlled Substances Monitoring Program Legislative	7/22/2020	8/21/2020		8/26/2020	Modified & Approved 11/16/2020 Filed 12/2/2020	Bundled SB182	5/11/2021	6/11/2021
Pharmacy (15-12)	Immunizations Administered by Pharmacist and Pharmacy Interns Legislative	5/1/2020 7/22/2020	6/2/2020 8/21/2020	4/20/2020 Approved 4/20/2020	6/5/2020 9/4/2020	Modified & Approved 11/16/2020 Filed 12/2/2020	Bundled SB182	5/11/2021	6/11/2021
Professional Surveyors (23-01)	Examination and Licensing of Professional Surveyors in WV Legislative	7/13/2020	8/14/2020		8/24/2020	Modified & Approved 11/16/2020 Filed 11/19/2020	Bundled SB182		
Public Service Commission (150-02)	Rules for the Construction and Filing of Tariffs Legislative Exempt	8/4/2020	10/5/2020 Extended to 6/15/2021						
Public Service Commission (150-05)	Rules for the Government of Sewer Utilities Legislative Exempt	11/10/2020	1/11/2021 Extended to 1/18/2021						
Public Service Commission (150-07)	Rules for the Government of Water Utilities Legislative Exempt	11/10/2020	1/11/2021 Extended to 1/18/2021						
Public Service Commission (150-09)	Rules Governing Motor Carriers, Private Commercial Carriers, and the Filing of Evidence of Insurance and Financial Responsibility by Motor Carriers Legislative Exempt	8/4/2020	10/5/2020 Extended to 6/15/2021						
Public Service Commission (150-16)	Rules Governing the Transportation of Natural Gas Legislative Exempt	10/7/2020	11/16/2020					4/15/2021	6/14/2021

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Racing Commission (178-01)	Thoroughbred Racing Legislative	6/18/2020	7/20/2020		8/21/2020	Modified & Approved 12/9/2020	Bundled SB160	4/29/2021	7/28/2021
Real Estate Commission (174-01)	Licensing Real Estate Brokers, Associate Brokers, and Salespersons and the Conduct of Brokerage Business Legislative	7/21/2020	8/20/2020		8/24/2020	Modified & Approved 12/9/2020 Filed 12/11/2020	Bundled SB182	4/19/2021	7/1/2021
Risk and Insurance Management (115-01)	Mine Subsidence Insurance Legislative	7/9/2020	8/8/2020		8/18/2020	Approved 11/17/2020	Bundled SB126	5/4/2021	8/1/2021
Secondary School Activities Comm. (127-02)	Athletics, Provisioins Governing Eligibility Legislative Exempt	5/13/2021	6/14/2021						
Secondary School Activities Comm. (127-03)	Provisions Governing Contests Legislative Exempt	5/13/2021	6/14/2021						
Secretary of State (153-07)	Submission of Other Documents to Solicit Contributions for Charitable Organizations Interpretive	12/7/2020	1/8/2021						
Secretary of State (153-10)	Loan and Grant Programs Under the Help America Vote Act (HAVA) for the Purchase of Voting Equipment, Election Systems, Software, Services and Upgrades Legislative	4/24/2020	5/29/2020	3/25/2020 Amendment 4/24/2020 Amendment 4/27/2020 Effective 6/8/2020	6/23/2020	Modified & Approved 11/17/2020 Filed 12/4/2020	Bundled SB182		
Secretary of State (153-45)	Guidelines and Standards for Electronic Notarization Legislative	4/30/2020	6/1/2020	3/27/2020 Amendment 3/31/2020 Approved 4/1/2020	6/25/2020	Modified & Approved 11/17/2020 Filed 12/4/2020	Bundled SB182		
Secretary of State (153-53)	Election Processes and Absentee Eligibility During State of Emergency			3/20/2020 Effective 3/20/2020					
Speech Language Pathology and Audiology (29-01)	Licensure of Speech-Pathology and Audiology Legislative	4/28/2021	6/4/2021	4/27/2021 ERD by 6/8/2021					
State Emergency Response Comm. (55-01)	Emergency Planning and Community Right to Know Legislative	7/13/2020	8/12/2020		8/28/2020	Approved 11/16/2020	Bundled SB156	5/12/2021	7/1/2021

RULE MONITOR

AGENCY/SERIES NUMBER	RULE	NOTICE	HEARING	EMER RULE	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
State Emergency Response Comm. (55-02)	Emergency Planning Grant Program Legislative	7/13/2020	8/12/2020		8/28/2020	Approved 11/16/2020	Bundled SB156	5/12/2021	7/1/2021
State Emergency Response Comm. (55-03)	Requests for Information Pursuant to the Community Right to Know Act Procedural	5/12/2021	6/11/2021						
Tax (110-01A)	Valuation of Farmland and Structures Situated Thereon for Ad Valorem Property Tax Purposes Legislative Exempt	Called up in the 2021 Legislative Session					Bundled SB160		
Tax (110-15F)	Sales Tax Holiday Legislative	5/11/2021	6/11/2021	5/7/2021 ERD by 6/18/2021					
Underground Facilities Damage Prevention Bd. (214-02)	Rules of Procedure for Complaints and Contested Cases Before the WV Underground Facilities Damage Prevention Board Procedural	4/21/2021	5/21/2021						
Waste Mgmt., Div. of Water & Waste Mgmt. (33-20)	Hazardous Waste Management System Legislative	7/8/2020	8/11/2020		8/25/2020	Approved 9/25/2020	Bundled HB2382	4/19/2021	7/1/2021
Water Resources Division of Water and Waste Management (47-02)	Requirements Governing Water Quality Standards Legislative	3/31/2020	5/19/2020		8/17/2020	Modified & Approved 12/9/2020 Filed 12/22/2020	Bundled HB2382	4/22/2021	5/22/2021
Water Resources Division of Water and Waste Management (47-02B)	Assessment Methodology for the Biological Component of the Narrative Criteria in Wadeable Streams Procedural	2/9/2021	3/11/2021 Written Comments Extended To 3/26/2021						
Workers Compensation (85-17)	Electronic Submittal of Invoices and Receipt of Payments Legislative Exempt	4/1/2021	5/20/2021						

LEGISLATIVE RULES FILED PER THE SUNSET PROVISION W. Va. Code §29A-3-19 and 29A-3A-20

AGENCY/SERIES NUMBER	RULE/SUNSET DATE	REQUEST	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Auditor 155-08	Procedure for Local Levying Bodies to Apply for Permission to Extend Time to Meet as Levying Body 7/1/2022	5/13/2021					
Community & Technical College Education 135-35	Correspondence, Business, Occupational, and Trade Schools 7/19/2022	4/5/2021	4/27/2021				
Community & Technical College Education 135-52	Annual Reauthorization of Degree-Granting Institutions 7/19/2022	4/6/2021	4/27/2021				
Dangerous Wild Animal Board 74-01	Dangerous Wild Animals 6/5/2022	4/5/2021	4/5/2021				
Health 64-103	Expedited Paratner Therapy 6/1/2022	5/10/2021	5/10/2021				
Health and Human Resources 69-11	Medication-Assisted treatment – Opioid Treatment Programs 6/1/2022	5/10/2021	5/10/2021				
Higher Education Policy Commission 133-48	Research Trust Fund 8/5/2022	5/5/2021	5/5/2021				
Higher Education Policy Commission 133-52	Annual Reauthorization of Degree-Granting Institutions 8/5/2022	5/5/2021	5/5/2021				
Insurance Commission 114-98	Adoption of Valuation Manual 5/19/2022	3/31/2021	3/31/2021				
Public Service Commission (150-37)	Telephone Conduit Occupancy 8/1/2022	5/6/2021					
Racing Commission 178-05	Pari-Mutuel Wagering 8/1/2022	4/26/2021	4/30/2021				
Registererd Professional Nurses 19-08	Limited Prescriptive Authority for Nurses in Advanced Practice 5/15/2022	3/17/2021	5/10/2021				
Risk and Insurance Management 115-07	Patient Injury Compensation Fund 5/1/2022	4/21/2021					
Secretary of State 153-03	Voter Registration at the Division of Motor Vehicles 5/23/2022	5/10/2021	5/10/2021				
Secretary of State 153-05	Voter Registration List Maintenance by the Secretary of State 5/23/2022	5/10/2021	5/10/2021				

LEGISLATIVE RULES FILED PER THE SUNSET PROVISION W. Va. Code §29A-3-19 and 29A-3A-20

AGENCY/SERIES NUMBER	RULE/SUNSET DATE	REQUEST	AGENCY APPROVED	LRMRC/LOCEA ACTION	LEGIS	FINAL FILE	EFFECTIVE
Treasurer 112-04	Procedures for Deposit of Monies with the State Treasurer's Office by State Agencies 6/1/2022	5/5/2021	5/6/2021				
Treasurer 112-06	Selection of State Depositories for Disbursement Accounts through Competitive Bidding 6/1/2022	5/6/2021	5/6/2021				
Treasurer 112-07	Selection of State Depositories for Receipt Accounts 6/1/2022	5/7/2021	5/7/2021				
Treasurer 112-08	Procedures for Processing Payments from the State Treasury 6/1/2022	5/7/2021	5/7/2021				

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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5/13/2021 3:28:47 PM
Office of West Virginia Secretary Of State

LEGISLATIVE

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Auditor TITLE-SERIES: 155-08

RULE TYPE: Legislative CITE STATUTORY AUTHORITY:

RULE NAME: 155-08 Procedure For Local Levying Bodies To Apply for Permission To Extend Time To Meet As Levying Body

PLEASE SELECT A SUNSET PROVISION OPTION:

[X] EXTEND THE SUNSET DATE OF THE RULE.

5 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

[ ] LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS [ ] INCORPORATED BY REFERENCE [ ]

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

This rule establishes a procedure for local levying bodies to apply for permission to extend the time to meet as a levying body, requires the local levying body to cite the reason a timely meeting was not held and that the meeting, if approved by the State Auditor, be held in compliance with article nine-a, chapter six of the West Virginia Code relating to open governmental proceedings at a time set by the State Auditor. No changes are proposed to the Rule.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

The laws have not changed and only require the period of effectiveness to be extended for an equal period of 5 years.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

None

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

None

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NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-013C

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Non-public School Accreditation (2330)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/14/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Dustin Lambert, Coordinator, WVDE Middle and Secondary Learning Services

ADDRESS: Capitol Bldg. 6, Room 221, 1900 Kanawha Blvd. E

Charleston, West Virginia 25305

EMAIL: dllambert@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

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LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

AGENCY: Education TITLE-SERIES: 126-025A

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Standards for Basic and Specialized Health Care Procedures (2422.7)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

July 1, 2021

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Michele L Blatt -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

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NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE EXEMPT, INTERPRETIVE OR PROCEDURAL RULE

AGENCY: Education TITLE-SERIES: 126-084

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Student Driver Eligibility Certificate (4150)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

July 1, 2021

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Michele L Blatt -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

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LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Education TITLE-SERIES: 126-146

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: Yes

RULE NAME: Service Personnel Classification, Competency Testing, and Professional Learning (5314)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 138 (2017)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/14/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Veronica Barron, Coordinator

ADDRESS: WVDE Advanced Career Education Services, Capitol Bldg. 6, Room 825

1900 Kanawha Blvd., E, Charleston, WV 25305

EMAIL: vbarron@k12.wv.us

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

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5/12/2021 9:44:27 AM
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NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Ethics Commission TITLE-SERIES: 158-06

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: 158-06 Use of Office for Private Gain, Including Nepotism

PRIMARY CONTACT

NAME: Theresa Kirk

ADDRESS: 210 Brooks Street Suite 300

Charleston, WV 25301

EMAIL: theresa.m.kirk@wv.gov

PHONE NUMBER: 304-558-0664

CITE STATUTORY AUTHORITY: W. Va. Code § 6B-2-5(b) and 6B-2-2(a)

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

The Ethics Act, at W. Va. Code § 6B-2-2(a), requires the Ethics Commission to propose rules to carry out the purposes of the Ethics Act. This Rule establishes rules for complying with the restrictions in the Act against use of public office or employment for private gain, including nepotism. The changes are technical.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? No

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? No

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD: 3/22/2021

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED: 4/22/2021

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

WEST VIRGINIA SECRETARY OF STATE
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5/12/2021 11:10:31 AM
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LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Fire Commission TITLE-SERIES: 87-07

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: Yes

RULE NAME: Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Officials, Building Code Inspectors and Plans Examiners

CITE STATUTORY AUTHORITY: 64-6-1

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) 156

Section 1 Passed On 3/23/2021 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

March 23, 2021

This rule shall terminate and have no further force or effect from the following date:

March 23, 2021

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Stacy L Nowicki-Eldridge -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
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5/12/2021 10:35:52 AM
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NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Fire Marshal TITLE-SERIES: 103-06

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: Standards for the Certification and Continuing Education of Municipal, County, and Other Public Sector Building Code Officials, Building Code Inspectors and Plans Examiners

CITE STATUTORY AUTHORITY: 15A-10-2 and 15A-10-5

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) 156

Section 2 Passed On 3/23/2021 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

July 1, 2021

This rule shall terminate and have no further force or effect from the following date:

July 01, 2026

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Stacy L Nowicki-Eldridge -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

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5/10/2021 1:25:55 PM
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LEGISLATIVE

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Health TITLE-SERIES: 64-103

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: 16-4F-5

RULE NAME: 64-103 Expedited Partner Therapy

PLEASE SELECT A SUNSET PROVISION OPTION:

[X] EXTEND THE SUNSET DATE OF THE RULE.

5 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

[ ] LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS [ ] INCORPORATED BY REFERENCE [ ]

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

This rule series designates certain diseases as sexually transmitted diseases for the purposes of treatment by expedited partner therapy. No amendments are contemplated at this time other than the extension of the sunset date.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

The authorizing statute requiring this rule remains in effect and the Department of Health and Human Resources remains responsible for its implementation.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

N/A

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

N/A

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NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Health TITLE-SERIES: 64-103

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: 64-103 Expedited Partner Therapy

PRIMARY CONTACT

NAME: April Robertson

ADDRESS: One Davis Square
Suite 100 East
Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PHONE NUMBER: 304-558-9149

CITE STATUTORY AUTHORITY: 16-4F-5

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

N/A

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? Yes

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? Yes

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED:

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

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MAC WARNER
ADMINISTRATIVE LAW DIVISION

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5/10/2021 2:23:05 PM
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Secretary Of State

LEGISLATIVE

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Health And Human Resources TITLE-SERIES: 69-11

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: 16-5Y-13

RULE NAME: 69-11 Medication-Assisted Treatment - Opioid Treatment Programs

PLEASE SELECT A SUNSET PROVISION OPTION:

[X] EXTEND THE SUNSET DATE OF THE RULE.

5 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

[ ] LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS [ ] INCORPORATED BY REFERENCE [ ]

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

This legislative rule establishes standards and procedures for the licensure of opioid treatment programs (OTP) - medication-assisted treatment (MAT) programs.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

The authorizing statue requiring the rule is still in effect and the Department of Health and Human Resources remains responsible for its implementation.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

N/A

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

N/A

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5/10/2021 3:12:59 PM
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Secretary Of State

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Health And Human Resources TITLE-SERIES: 69-11

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: 69-11 Medication-Assisted Treatment - Opioid Treatment Programs

PRIMARY CONTACT

NAME: April Robertson

ADDRESS: One Davis Square
Suite 100 East
Charleston, WV 25301

EMAIL: april.l.robertson@wv.gov

PHONE NUMBER: 130-455-8914 9

CITE STATUTORY AUTHORITY: 16-5Y-13

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

N/A

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? Yes

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? Yes

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED:

COMMENTS RECEIVED: No

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING: No

WEST VIRGINIA
SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION
INCOME MAINTENANCE MANUAL CHANGE FORM

Please Stamp Filing Date

FILED

2021 MAY 13 P 1:35

OFFICE WEST VIRGINIA SECRETARY OF STATE

NOTICE OF FILING CHANGES TO PUBLIC ASSISTANCE MANUAL WITH THE SECRETARY OF STATE

AGENCY:	**West Virginia Department of Health and Human Resources**	**BUREAU:**	**Children & Families**

TITLE OF MANUAL TO WHICH POLICY IS BEING FILED:	**Income Maintenance Manual**

STATE RULE:	**FEDERAL RULE:**	**EFFECTIVE DATE:**	**5/1/2021**

CHANGE NUMBER:	**Updated New Income Maintenance Manual 804**
CHAPTERS/SECTIONS EFFECTED:	**1, 2, 4, 7, 10, 17, 18, 24 & AFG**

SEE DW-17 FORM FOR SPECIFIC CHANGES / MODIFICATIONS

REASON FOR MANUAL CHANGE:	This change is being made to add language for the requirement of the verification of the age (date of birth) of an applicant for the Medicaid and WV CHIP programs. This change also removes language allowing Community Partners from verifying citizenship. Additionally, citizenship information received from the Federal Data Hub (FDH) is considered verified. This change updates and separates enumeration requirements of Medicaid from WV Works and updates language for self-attestation examples allowable. Additionally, this change updates the provisions of the Recovery Rebates/Economic Impacts payments are not counted as income for Unemployment. This change also updates the Period of Life Table listed in Chapter 24 Appendix D with new numbers effective January 1, 2021.

THIS IS PART OF AN EXISTING LEGISLATIVE RULE

The above policy is hereby filed as an incorporated portion of an existing legislative rule.

Monica Hess
Authorized Signature

CONTACT:
Office of the Secretary
West Virginia Department of Health and Human Resources
State Capitol Complex, Building 3, Room 206
Charleston, West Virginia 25305
304.558.7899 Telephone

LEGISLATIVE

WEST VIRGINIA SECRETARY OF STATE
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5/11/2021 3:40:02 PM
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NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Human Services TITLE-SERIES: 78-02

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Child Placing Agencies Licensure

CITE STATUTORY AUTHORITY: 49-2-121

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) 2427

Section 64-5-1(l) Passed On 4/6/2021 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

July 1, 2021

This rule shall terminate and have no further force or effect from the following date:

August 01, 2026

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

April L Robertson -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/7/2021 11:42:27 AM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-03

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Rule Governing the Safety of Those Employed in and Around Surface Mines in West Virginia

CITE STATUTORY AUTHORITY: W. Va. Code §§22A-1-38 and 22A-1-42

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/07/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Eugene White, Director

ADDRESS: Office of Miners' Health, Safety and Training

7 Players Club Dr., Suite 2, Charleston, WV 25311

EMAIL: eugene.e.white@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/7/2021 11:40:42 AM
Office of West Virginia
Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-11

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: Yes

RULE NAME: Rule Governing First-Aid Training of Shaft and Slope Employees

CITE STATUTORY AUTHORITY: W. Va. Code §§22A-1-6 and 22A-7-6

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/07/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Eugene White, Director

ADDRESS: Office of Miners' Health, Safety and Training

7 Players Club Dr., Suite 2, Charleston, WV 25311

EMAIL: eugene.e.white@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/7/2021 4:00:28 PM
Office of West Virginia Secretary Of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Motor Vehicles TITLE-SERIES: 91-25

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: Special Purpose Vehicles

CITE STATUTORY AUTHORITY: W. Va. Code §17A-13-1, W. Va. Code §17A-2-9, W. Va. Code § 17D-2-1 and W. Va. Code § 11-15-3c

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) HB2400

Section §64-8-2 Passed On 4/15/2021 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

June 14, 2021

This rule shall terminate and have no further force or effect from the following date:

August 01, 2026

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Ronald David Johnson Jr Mba -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/11/2021 11:46:16 AM
Office of West Virginia Secretary Of State

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Pharmacy TITLE-SERIES: 15-01

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Licensure and Practice of Pharmacist Care

CITE STATUTORY AUTHORITY: 30-5-7

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) 182

Section one Passed On 3/23/2021 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

June 11, 2021

This rule shall terminate and have no further force or effect from the following date:

August 01, 2031

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Ryan L Hatfield -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/11/2021 11:48:55 AM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Pharmacy TITLE-SERIES: 15-02

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Rules for the Board of Pharmacy for the Uniform Controlled Substances Act

CITE STATUTORY AUTHORITY: 60A-3-301

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) 182

Section one Passed On 3/23/2021 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

June 11, 2021

This rule shall terminate and have no further force or effect from the following date:

August 01, 2031

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Ryan L Hatfield -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/11/2021 11:50:53 AM
Office of West Virginia
Secretary Of State

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Pharmacy TITLE-SERIES: 15-03

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Board of Pharmacy RUles for Continuing Education for Licensure of Pharmacists

CITE STATUTORY AUTHORITY: 30-5-7

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) 182

Section one Passed On 3/23/2021 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

June 11, 2021

This rule shall terminate and have no further force or effect from the following date:

August 01, 2031

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Ryan L Hatfield -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/11/2021 11:11:38 AM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Pharmacy TITLE-SERIES: 15-05

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: LICENSURE OF WHOLESALE DRUG DISTRIBUTORS, THIRD PARTY LOGISTICS PROVIDERS, AND MANUFACTURERS

CITE STATUTORY AUTHORITY: 60A-8-9

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) 182

Section one Passed On 3/23/2021 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

June 11, 2021

This rule shall terminate and have no further force or effect from the following date:

June 11, 2031

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Ryan L Hatfield -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/11/2021 11:16:57 AM
Office of West Virginia
Secretary Of State

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Pharmacy TITLE-SERIES: 15-08

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: CONTROLLED SUBSTANCES MONITORING PROGRAM

CITE STATUTORY AUTHORITY: 30-5-7, 60A-9-6, 60A-9-9

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) 182

Section one Passed On 3/23/2021 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

June 11, 2021

This rule shall terminate and have no further force or effect from the following date:

June 11, 2031

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Ryan L Hatfield -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/11/2021 11:52:51 AM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: Pharmacy TITLE-SERIES: 15-12

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: BOARD OF PHARMACY RULES FOR IMMUNIZATIONS ADMINISTERED BY PHARMACISTS AND PHARMACY INTERNS

CITE STATUTORY AUTHORITY: 30-5-7 and 29A-3-15

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) 182

Section one Passed On 3/23/2021 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

June 11, 2021

This rule shall terminate and have no further force or effect from the following date:

August 01, 2031

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes

Ryan L Hatfield -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/10/2021 4:43:24 PM
Office of West Virginia
Secretary Of State

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Registered Professional Nurses TITLE-SERIES: 19-08

RULE TYPE: Legislative Amendment to Existing Rule: Repeal of existing rule:

RULE NAME: 19-08 Limited Prescriptive Authority for Nurses in Advanced Practice

PRIMARY CONTACT

NAME: Sue Painter

ADDRESS: 90 Maccorkle Ave SW
Suite 203
South Charleston, WV 25303

EMAIL: sue.a.painter@wv.gov

PHONE NUMBER: 304-744-0900

CITE STATUTORY AUTHORITY: 30-7-15a

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? Yes

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? Yes

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED:

COMMENTS RECEIVED:

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING:

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/13/2021 1:00:36 PM
Office of West Virginia Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Secondary School Activities Commission TITLE-SERIES: 127-02

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Athletics, Provisions Governing Eligility (Series 2)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/14/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Bernie Dolan, Executive Director

ADDRESS: West Virginia Secondary School Activities Commission

2875 Staunton Tumpike, Parkersburg, WV 26104

EMAIL: bernie.dolan@wvssac.org

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/13/2021 1:05:41 PM
Office of West Virginia Secretary Of State

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Secondary School Activities Commission TITLE-SERIES: 127-03

RULE TYPE: Legislative Exempt Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Provisions Governing Contests (Series 3)

CITE STATUTORY AUTHORITY: W. Va. Code §§29A-3B-1, et seq.; W. Va. Board of Education v. Hechler, 180 W. Va. 451, 376 S.E.2d 839 (1988); and, W. Va. Bd. of Educ. V. Bd. of Educ., 239 W. Va. 705, 806 S.E. 2d 136 (2017)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/14/2021 4:00 PM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Bernie Dolan, Executive Director

ADDRESS: West Virginia Secondary School Activities Commission

2875 Staunton Tumpike, Parkersburg, WV 26104

EMAIL: bernie.dolan@wvssac.org

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/10/2021 12:55:52 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Secretary Of State TITLE-SERIES: 153-03

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: 3-2-11(n)

RULE NAME: 153-03 Voter Registration at the Division of Motor Vehicles

PLEASE SELECT A SUNSET PROVISION OPTION:

[X] EXTEND THE SUNSET DATE OF THE RULE.

5 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

[ ] LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS [X] INCORPORATED BY REFERENCE [ ]

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

Establishing procedures for providing voter registration services at the WV Department of Motor Vehicles. No changes made.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

The Rule provisions are current.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

N/a.

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

N/a.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/10/2021 4:58:56 PM
Office of West Virginia
Secretary Of State

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Secretary Of State TITLE-SERIES: 153-03

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: 153-03 Voter Registration at the Division of Motor Vehicles

PRIMARY CONTACT

NAME: Donald Kersey

ADDRESS: State Capitol Bldg 1 Ste 157 K
Charleston, WV 25305

EMAIL: dkersey@wvsos.gov

PHONE NUMBER: 304-558-6000

CITE STATUTORY AUTHORITY: 3-2-11(n)

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

This rule pertains to voter registration services at the WV DMV. Filing is solely for the purpose of sunset extension.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? Yes

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? Yes

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED:

COMMENTS RECEIVED:

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING:

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/10/2021 12:53:15 PM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Secretary Of State TITLE-SERIES: 153-05

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: 3-2-23a

RULE NAME: 153-05 Voter Registration List Maintenance by the Secretary of State

PLEASE SELECT A SUNSET PROVISION OPTION:

[X] EXTEND THE SUNSET DATE OF THE RULE.

5 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

[ ] LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS [X] INCORPORATED BY REFERENCE [X]

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

Voter registration roll list maintenance. No changes.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

The provisions of the Rule are current.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

N/a.

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

N/a.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/10/2021 4:54:50 PM
Office of West Virginia
Secretary Of State

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Secretary Of State TITLE-SERIES: 153-05

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: 153-05 Voter Registration List Maintenance by the Secretary of State

PRIMARY CONTACT

NAME: Donald Kersey

ADDRESS: State Capitol Bldg 1 Ste 157 K

Charleston, WV 25305

EMAIL: dkersey@wvsos.gov

PHONE NUMBER: 304-558-6000

CITE STATUTORY AUTHORITY: W. Va. Code 3-2-23a

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

This Rule pertains to the voter registration list maintenance program in WV, which is not being amended beyond extending the sunset period.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? Yes

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? Yes

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED:

COMMENTS RECEIVED:

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING:

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/12/2021 10:21:20 AM
Office of West Virginia
Secretary Of State

LEGISLATIVE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: State Emergency Response Commission TITLE-SERIES: 55-01

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: Emergency Planning and Community Right to Know

CITE STATUTORY AUTHORITY: 15-5A-5

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) 156

Section 3 Passed On 3/23/2021 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

July 1, 2021

This rule shall terminate and have no further force or effect from the following date:

July 01, 2026

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes
Stacy L Nowicki-Eldridge -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/12/2021 10:24:33 AM
Office of West Virginia
Secretary Of State

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE

AGENCY: State Emergency Response Commission TITLE-SERIES: 55-02

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: Emergency Planning Grant Program

CITE STATUTORY AUTHORITY: 15-5A-5(k)

The above rule has been authorized by the West Virginia Legislature.

Authorization is cited in (house or senate bill number) 156

Section 3 Passed On 3/23/2021 12:00:00 AM

This rule is filed with the Secretary of State. This rule becomes effective on the following date:

July 1, 2021

This rule shall terminate and have no further force or effect from the following date:

July 01, 2026

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENT IS TRUE AND CORRECT.

Yes
Stacy L Nowicki-Eldridge -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/11/2021 9:58:42 AM
Office of West Virginia Secretary Of State

LEGISLATIVE

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: Tax TITLE-SERIES: 110-15F

RULE TYPE: Legislative Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: SALES TAX HOLIDAY

CITE STATUTORY AUTHORITY: W. Va. Code §11-15-9s(c)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/11/2021 10:00 AM

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: MARK S. MORTON

ADDRESS: P.O. BOX 1005

CHARLESTON, WV 25324-1005

EMAIL: taxlegal@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

eFILED
5/7/2021 10:01:49 AM
Office of West Virginia Secretary Of State

NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Treasurer TITLE-SERIES: 112-07

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: §12-1-2

RULE NAME: 112-07 Selection of State Depositories for Receipt Accounts

PLEASE SELECT A SUNSET PROVISION OPTION:

[X] EXTEND THE SUNSET DATE OF THE RULE.

5 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

[ ] LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS [ ] INCORPORATED BY REFERENCE [ ]

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

This legislative rule implements the provisions of §12-1-2 which requires the State Treasurer's Office to govern the procedures for deposits. This rule was previously updated in 2017 and the only change is to update the sunset provision.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

This legislative rule is required by §12-1-2 of the WV State Code

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

None

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

None

WEST VIRGINIA SECRETARY OF STATE
MAC WARNER
ADMINISTRATIVE LAW DIVISION

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Secretary Of State

LEGISLATIVE

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Treasurer TITLE-SERIES: 112-07

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: 112-07 Selection of State Depositories for Receipt Accounts

PRIMARY CONTACT

NAME: James Fuerhoff

ADDRESS: 1900 Kanawha Boulevard East Rm E 145

Charleston, WV 25305

EMAIL: james.fuerhoff@wvsto.com

PHONE NUMBER: 304-341-0744

CITE STATUTORY AUTHORITY: §12-1-2

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

The legislative rule implements the provisions of §12-1-2 which requires the State Treasurer's Office to govern the procedures for deposits.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? Yes

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? Yes

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED:

COMMENTS RECEIVED:

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING:

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NOTICE OF SUNSET PROVISION EXTENSION REQUEST

AGENCY: Treasurer TITLE-SERIES: 112-08

RULE TYPE: Legislative CITE STATUTORY AUTHORITY: §12-3-1

RULE NAME: 112-08 Procedures for Processing Payments from the State Treasury

PLEASE SELECT A SUNSET PROVISION OPTION:

[X] EXTEND THE SUNSET DATE OF THE RULE.

5 REQUESTED NUMBER OF YEARS FOR EXTENSION (SUBJECT TO LRMRC REVIEW).

[ ] LET THIS RULE EXPIRE.

PLEASE INDICATE IF THIS RULE INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS [ ] INCORPORATED BY REFERENCE [ ]

PLEASE PROVIDE A BRIEF SUMMARY OF THE CONTENT OF THE RULE:

The legislative rule implements the provisions of §12-3-1 which requires the State Treasurer's Office to develop procedures for processing payments from the State Treasury. The rule was previously updated in 2017 and the only change is to update the sunset provision.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE REASONS FOR REQUESTING A SUNSET PROVISION EXTENSION:

This legislative rule is required by §12-3-1 of the WV State Code.

SUMMARIZE IN A CLEAR AND CONCISE MANNER THE OVERALL ECONOMIC IMPACT OF THE RULE:

A. ECONOMIC IMPACT ON REVENUES OF STATE GOVERNMENT:

None

B. ECONOMIC IMPACT OF THE LEGISLATIVE RULE ON THE STATE OR ITS RESIDENTS:

None

WEST VIRGINIA SECRETARY OF STATE
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LEGISLATIVE

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE AND FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: Treasurer TITLE-SERIES: 112-08

RULE TYPE: Legislative Amendment to Existing Rule: Yes Repeal of existing rule: No

RULE NAME: 112-08 Procedures for Processing Payments from the State Treasury

PRIMARY CONTACT

NAME: James Fuerhoff

ADDRESS: 1900 Kanawha Boulevard East Rm E 145

Charleston, WV 25305

EMAIL: james.fuerhoff@wvsto.com

PHONE NUMBER: 304-341-0744

CITE STATUTORY AUTHORITY: §12-3-1

EXPLANATION OF THE STATUTORY AUTHORITY FOR THE LEGISLATIVE RULE, INCLUDING A DETAILED SUMMARY OF THE EFFECT OF EACH PROVISION OF THE LEGISLATIVE RULE WITH CITATION TO THE SPECIFIC STATUTORY PROVISION WHICH EMPOWERS THE AGENCY TO ENACT SUCH RULE PROVISION:

The legislative rule implements the provisions of §12-3-1 which requires the State Treasurer's Office to develop procedures for processing payments from the State Treasury.

IS THIS FILING SOLELY FOR THE SUNSET PROVISION REQUIREMENTS IN W. VA. CODE §29A-3-19(e)? Yes

IF YES, DO YOU CERTIFY THAT THE ONLY CHANGES TO THE RULE ARE THE FILING DATE, EFFECTIVE DATE AND AN EXTENSION OF THE SUNSET DATE? Yes

DATE eFiled FOR NOTICE OF HEARING OR PUBLIC COMMENT PERIOD:

DATE OF PUBLIC HEARING(S) OR PUBLIC COMMENT PERIOD ENDED:

COMMENTS RECEIVED:

(IF YES, PLEASE UPLOAD IN THE COMMENTS RECEIVED FIELD COMMENTS RECEIVED AND RESPONSES TO COMMENTS)

PUBLIC HEARING:

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PROCEDURAL

NOTICE OF PUBLIC COMMENT PERIOD

AGENCY: State Emergency Response Commission TITLE-SERIES: 55-03

RULE TYPE: Procedural Amendment to Existing Rule: No Repeal of existing rule: No

RULE NAME: Requests for Information Pursuant to the Community Right to Know Act

CITE STATUTORY AUTHORITY: 15-5A-5(h)

COMMENTS LIMITED TO:

Written

DATE OF PUBLIC HEARING:

LOCATION OF PUBLIC HEARING:

DATE WRITTEN COMMENT PERIOD ENDS: 06/11/2021 4:00 p.m.

COMMENTS MAY BE MAILED OR EMAILED TO:

NAME: Lisa Paxton

ADDRESS: 2403 Fairlawn Avenue

Dunbar, WV 25064

EMAIL: lisa.a.paxton@wv.gov

PLEASE INDICATE IF THIS FILING INCLUDES:

RELEVANT FEDERAL STATUTES OR REGULATIONS: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

INCORPORATED BY REFERENCE: No

(IF YES, PLEASE UPLOAD IN THE SUPPORTING DOCUMENTS FIELD)

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EMERGENCY

NOTICE OF AN EMERGENCY RULE

AGENCY: Miners Health Safety And Training TITLE-SERIES: 56-03

RULE TYPE: Legislative Amendment to Existing Rule: Yes

RULE NAME: Rule Governing the Safety of Those Employed in and Around Surface Mines in West Virginia

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §§22A-1-38 and 22A-1-42

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

N/A

PRIMARY CONTACT:

NAME: Eugene White Director

ADDRESS: Office Of Miners Health Safety And Training

7 Players Club Dr., Suite 2, Charleston, WV 25311

EMAIL: eugene.e.white@wv.gov

PHONE NUMBER: 304-558-1425

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

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NOTICE OF AN EMERGENCY RULE

AGENCY: Tax TITLE-SERIES: 110-15F

RULE TYPE: Legislative Amendment to Existing Rule: No

RULE NAME: SALES TAX HOLIDAY

CITE STATUTORY AUTHORITY FOR PROMULGATING EMERGENCY RULE:

W. Va. Code §11-15-9s(c)

IF THE EMERGENCY RULE WAS PROMULGATED TO COMPLY WITH A TIME LIMIT ESTABLISHED BY CODE OR FEDERAL STATUTE OR REGULATION, CITE THE CODE PROVISION, FEDERAL STATUTE OR REGULATION AND TIME LIMIT ESTABLISHED THEREIN:

No time limit

PRIMARY CONTACT:

NAME: MARK S MORTON

ADDRESS: PO Box 1005

CHARLESTON, WV 25324-1005

EMAIL: taxlegal@wv.gov

PHONE NUMBER: 304-558-5330

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE AFTER APPROVAL BY THE SECRETARY OF STATE OR THE 42ND DAY AFTER FILING, WHICHEVER OCCURS FIRST. THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

Orders Report

Docket Number	Agency	Respondent	Date Rendered
19-FP-CC-02050	**Insurance Commission**	Municipal Mutual Insurance Company	5/5/2021
20-FP-CC-02027	**Insurance Commission**	Property & Casualty Insurance Company of Hartford	5/5/2021
19-72-W, 19-139-W	**Medicine, West Virginia Board Of**	John Collett Veltman, MD	5/4/2021
20-78-W	**Medicine, West Virginia Board Of**	Amal Fostok Sakkal, MD	5/7/2021
20-84-W	**Medicine, West Virginia Board Of**	Tamara Denise Spriggs, MD	5/7/2021
20-77-W	**Medicine, West Virginia Board Of**	Albert Francois Olivier, MD	5/7/2021
19-92-W	**Medicine, West Virginia Board Of**	Ahmed Kamel Gayed, MD	5/7/2021

Grievances Report

Docket Number	Grievants Name	Respondents Name	Date Decision
2019-1771-RalED	Teresa F. Williams	Raleigh County Board Of Education	7/17/2019
2020-1541-DOT	Adam Winter	Division Of Highways	4/1/2021
2020-0917-DOA	Thomas Hackney	General Services Division	4/2/2021
2020-0644-JefED	Donna Joy	Jefferson County Board Of Education	4/2/2021
2020-1076-DHHR	Ivy Dan	Department Of Health And Human Resources	4/5/2021
		Bureau For Children And Families	4/5/2021
2021-0039-DHHR	Aaron Ryan	Department Of Health And Human Resources	4/5/2021
		William R. Sharpe, Jr. Hospital	4/5/2021
2021-1910-WVSU	Lillian Altiery	West Virginia State University	4/5/2021
2019-0055-DHHR	Paul Gullett	Department Of Health And Human Resources	4/5/2021
		Welch Community Hospital	4/5/2021
		Division Of Personnel	4/5/2021
2020-0139-LinED	Greg Lambert	Lincoln County Board Of Education	4/5/2021
2019-0297-DHHR	Emma Berger	Department Of Health And Human Resources	4/6/2021
		Mildred Mitchell-Bateman Hospital	4/6/2021
2020-0089-DHHR	James Williams	Department Of Health And Human Resources	4/6/2021
		Jackie Withrow Hospital	4/6/2021
2019-1607--DOT	Colten Gauge Asbury	Division Of Highways	4/6/2021
2020-1556-DOC	Cynthia J. Bonnett	Workforce West Virginia	4/7/2021
		Division Of Personnel	4/7/2021
2021-0606-MAPS	Bobby R. Berry	Division of Corrections and Rehabilitation	4/7/2021
		Central Office	4/7/2021
		Division Of Personnel	4/7/2021
2021-0283-MrnED	Barbara Haught	Marion County Board Of Education	4/7/2021

2020-0257-KanED	**Donnie Bowe**	Kanawha County Board Of Education	4/8/2021
2021-1482-WVU	**Ellen Hoban**	West Virginia University	4/8/2021
2020-0121-KanED	**Rosemary Light**	Kanawha County Board Of Education	4/8/2021
2020-0725-KanED	**Angela Perry**	Kanawha County Board Of Education	4/8/2021
2019-1271-CONS	**Latosha Greene**	Department Of Health And Human Resources	4/9/2021
		Jackie Withrow Hospital	4/9/2021
2020-0344-RalED	**David Pack**	Raleigh County Board Of Education	4/9/2021
2019-0441-DOT	**James Williamson**	Division Of Highways	4/9/2021
2019-1633-CONS	**Leighanne Ruley**	Department Of Health And Human Resources	4/13/2021
		Mildred Mitchell-Bateman Hospital	4/13/2021
2021-1082-CONS	**Nicole Herron, et al.**	Randolph County Board Of Education	4/14/2021
2020-0073-MAPS	**Michael Joseph Houser**	Division of Corrections and Rehabilitation	4/15/2021
		Bureau of Juvenile Services	4/15/2021
		Donald R Kuhn Juvenile Center	4/15/2021
2019-0490-CONS	**Matthew Sturgell**	Division Of Highways	4/16/2021
	Paul Dillon	Division Of Highways	4/16/2021
2019-1691-DHHR	**Lisa J. Snodgrass**	Department Of Health And Human Resources	4/19/2021
		Bureau For Children And Families	4/19/2021
2020-1563-CONS	**Megan Morgan**	West Virginia University	4/20/2021
	Rebecca Cumpston	West Virginia University	4/20/2021
2021-2199-WVU	**Susan Taylor Walker**	West Virginia University	4/22/2021
2020-1051-DHHR	**Aaron Charles English**	Department Of Health And Human Resources	4/23/2021
		Bureau For Children And Families	4/23/2021
2021-0313-MAPS	**Christopher Scott Browning**	Division of Corrections and Rehabilitation	4/23/2021
		Bureau of Prisons and Jails	4/23/2021
		Southwestern Regional Jail and Correctional Facility	4/23/2021
2021-2340-JefED	**Denise Lykens**	Jefferson County Board Of Education	4/23/2021

2021-0602-DHHR	**Jodi Camp**	Department Of Health And Human Resources	4/26/2021
		Mildred Mitchell-Bateman Hospital	4/26/2021
2019-0642-LinED	**Amy Adkins**	Lincoln County Board Of Education	4/27/2021
2019-0527-KanED	**Lisa Hoover**	Kanawha County Board Of Education	4/27/2021
2020-0838-DHHR	**Larry Butcher**	Department Of Health And Human Resources	4/29/2021
		William R. Sharpe, Jr. Hospital	4/29/2021
2020-0461-DHHR	**Mary Lee James**	Department Of Health And Human Resources	4/29/2021
		William R. Sharpe, Jr. Hospital	4/29/2021
2020-1021-MAPS	**Michael T. Stowe, Jr.**	Division of Corrections and Rehabilitation	4/29/2021
		Bureau of Prisons and Jails	4/29/2021
		Huttonsville Correctional Center and Jail	4/29/2021
2021-0052-CONS	**James Luevano**	Hancock County Board Of Education	4/30/2021
	John Barber	Hancock County Board Of Education	4/30/2021
2020-1081-CONS	**Anna McCumbers**	Department Of Health And Human Resources	4/30/2021
		Bureau For Children And Families	4/30/2021
	Chester Sprankle	Department Of Health And Human Resources	4/30/2021
		Bureau For Children And Families	4/30/2021

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

CHARLESTON

EXECUTIVE ORDER NO. 14-21

BY THE GOVERNOR

WHEREAS, the Legislature of the State of West Virginia (the "State") adopted House Concurrent Resolution No. 105 (the "Resolution") on the 23rd day of July, 2019, in conjunction with the "Roads To Prosperity Amendment of 2017" (Constitutional Amendment passed October 2017), and chapter seventeen, article twenty-six-a (the "Act") of the Code of West Virginia, One Thousand Nine Hundred Thirty-One, as amended (the "Code"), all relating to authorizing the governor (the "Governor") to incur indebtedness during the fiscal year ending June 30, 2021, not to exceed two hundred million dollars ($200,000,000) to match available federal funds for highway and bridge construction and for general highway and secondary roads and bridge construction or improvements in each of the fifty-five counties of the State; and

WHEREAS, pursuant to Senate Concurrent Resolution No. 301 (2017), in conjunction with the "Roads To Prosperity Amendment of 2017" (Constitutional Amendment passed October 2017), and the Act, the State previously issued its $167,600,000 General Obligation State Road Bonds, Series 2018 A and its $632,400,000 General Obligation State Road Bonds, Series 2018 B (together, the "Series 2018 Bonds") on June 7, 2018; and

WHEREAS, pursuant to House Concurrent Resolution No. 104 (2019), in conjunction with the "Roads To Prosperity Amendment of 2017" (Constitutional Amendment passed October 2017), and the Act, the State previously issued its $600,000,000 General Obligation State Road Bonds, Series 2019 A (the "Series 2019 Bonds," and together with the Series 2018 Bonds, the "Prior Bonds") on December 17, 2019; and

WHEREAS, pursuant to the Resolution, it is necessary and desirable for the State to issue its General Obligation State Road Bonds, Series 2021 A (the "Bonds"); and

WHEREAS, the Bonds will be sold to the lowest true interest cost bidder (the "Bid Buyer") pursuant to a competitive bid scheduled to be opened on May 18, 2021 (the "Sale Date"); and

WHEREAS, the terms of the Bonds will be approved in a subsequent Executive Order entered by me, as Governor, and dated the Sale Date (the "Subsequent Order"); and

WHEREAS, the proceeds of the sale of the Bonds to the Bid Buyer (plus any original issue premium and less any original issue discount) shall be deposited into a separate subaccount in the State Road Fund held in the Treasury and shall be used as provided in the Act; and

WHEREAS, certain action is required of me, as Governor, in order for the Bonds to be issued and sold.

NOW, THEREFORE, I, JIM JUSTICE, GOVERNOR, pursuant to and by the authority vested in me as the Chief Executive Officer of this State, do hereby **FIND, DETERMINE** and **ORDER** that:

Section 1. Findings. The issuance of the Bonds as herein below provided will enable the State to match available federal highway and bridge funds and construct and provide for general highways and secondary road and bridge construction or improvements in the fifty-five counties consistent with the best interests of the people of, and business and industry in, the State.

Section 2. Issuance of the Bonds. The issuance of the Bonds on behalf of the State in the aggregate principal amount not to exceed $200,000,000 and dated the date of delivery is hereby authorized and approved. The Bonds shall be sold in one series and designated "State of West Virginia General Obligation State Road Bonds, Series 2021 A". The Bonds shall be numbered AR-1 upward and shall be issued in denominations of $5,000 or any integral multiple thereof, in fully registered form and initially issued in book-entry form and registered to Cede & Co. as nominee for The Depository Trust Company ("DTC"). Interest on the Bonds is payable on each June 1 and December 1 (each an "Interest Payment Date"), commencing December 1, 2021. The respective interest rates per annum and the maturity schedule and provisions for payment or redemption for the Bonds shall be set forth and approved in the Subsequent Order. The Bonds shall finally mature as set forth in the Subsequent Order. The form of the Bonds shall be set forth

as an attachment to the Subsequent Order, and approved thereby; the Bonds shall be executed by the manual or facsimile signature of the Governor and attested by the manual or facsimile signature of the Secretary of State, and the great seal of the State of West Virginia shall be impressed or imprinted thereon; and the Bonds shall be delivered to United Bank, as Co-Registrar and Authenticating Agent, Charleston, West Virginia (the "Co-Registrar"), for registration, authentication and delivery as provided herein. The validity of any Bond so executed shall not be affected by the fact that one or more of the officers whose signatures appear on such Bond have ceased to hold office at the time of issuance or authentication or at any time thereafter. The Resolution and the Act designate the Treasurer of the State as the Paying Agent, and he is hereby designated as the Registrar (the "Paying Agent" or the "Registrar").

Section 3. The Bonds. The Bonds shall contain a recital that they are issued pursuant to the Act and shall be secured by the pledge set forth in the Act. The Bonds are general obligations of the State and are payable as to principal and interest from the Roads to Prosperity Bond Debt Service Fund and as set forth in the Act. The Bonds and the interest thereon shall be deemed to be general obligations or debts of the State within the meaning of the constitution of the State, and the credit or taxing power of the State are pledged therefor.

Section 4. General Provisions Relating to the Bonds.

(A) Issuance of Bonds. Upon the execution of the Bonds, they shall be delivered to the Co-Registrar for authentication. The Co-Registrar shall authenticate and deliver the Bonds to or as directed by the Bid Buyer, upon receipt by the Co-Registrar of the following:

(a) a request and authorization by the State to the Co-Registrar to authenticate and deliver the Bonds to or as directed by the Bid Buyer identified in such request and authorization;

(b) evidence of delivery to the State Treasury of immediately available funds in an amount equal to the sum specified in such request and authorization;

(c) a copy, certified by the Secretary of State, of this Order and the Subsequent Order; and

(d) a written opinion of Bond Counsel to the effect that: (i) the Bonds have been authorized, executed and delivered by the State, and are valid and binding general obligations of the State, enforceable in accordance with their terms (subject to such exceptions as are set forth in such opinion); and (ii) interest on the Bonds is excludable from gross income for federal income tax purposes (subject to such exceptions as are set forth in such opinion).

(B) Form of Bonds. All Bonds shall be issued as fully registered bonds dated the date of delivery. The Bonds shall be in substantially the form attached to the Subsequent Order.

(C) Authentication. No Bonds shall be valid for any purpose hereunder until the certificate of authentication printed thereon is duly executed by the manual signature of an authorized signatory of the Co-Registrar. Such authentication shall be proof that the registered owner named on each Bond (each a "Registered Owner") is entitled to the benefit of the trusts hereby created. In authenticating the Bonds, the Co-Registrar may add the actual date of its authentication of Bonds.

(D) Registration, Transfer and Exchange.

(a) The ownership of each Bond shall be recorded in the registration books of the State, which books shall be kept by the Registrar or Co-Registrar, acting as bond registrar, at its principal office, and shall contain such information as is necessary for the proper discharge of the duties of the Registrar and Co-Registrar hereunder.

(b) Bonds may be transferred or exchanged as follows:

(i) The transfer of any Bond may be registered if duly endorsed for such transfer or accompanied by an instrument of transfer in form satisfactory to the Registrar, duly executed by the Registered Owner or his attorney duly authorized in writing and delivered by such Registered Owner or his duly appointed attorney to the Registrar, whereupon the Co-Registrar shall authenticate and deliver to the transferee a new Bond or Bonds and in the same denominations as the Bond delivered for registration of transfer or in different authorized denominations equal in the aggregate to the principal amount of the delivered Bond.

(ii) Any Bond or Bonds may be exchanged for one or more Bonds of the same series and in the same aggregate principal amount, but in a different authorized denomination or denominations if duly endorsed or accompanied by an instrument of transfer in form satisfactory to the Registrar, duly executed by the Registered Owner or his attorney duly authorized in writing. Each Bond so to be exchanged shall be delivered by the Registered Owner thereof or his duly appointed attorney to the Registrar, whereupon a new Bond or Bonds of the same series shall be authenticated by the Co-Registrar and delivered to the Registered Owner.

(iii) In the case of any Bond properly delivered for partial redemption, the Co-Registrar shall authenticate and deliver a new Bond of the same series in exchange therefor, such new Bond to be in a denomination equal to the unredeemed principal amount of the delivered Bond.

Except as provided in subparagraph (iii) above, the Registrar and Co-Registrar shall not be required to effect any transfer or exchange during the 15 days immediately preceding the date of mailing of any notice of redemption or at any time following the mailing of any such notice in the case of Bonds selected for such redemption ("Regular Redemption Date"). No charge shall be imposed upon Registered Owners in connection with any registration of transfer or exchange, except for taxes or governmental charges related thereto. No transfers or exchanges shall be valid for any purposes hereunder except as provided above or as provided in (J), below.

(E) Mutilated, Destroyed, Lost or Stolen Bonds.

(a) If any Bond is mutilated, lost, stolen or destroyed, the Registered Owner thereof shall be entitled to the issuance of a substitute Bond provided that:

(i) in all cases, the Registered Owner may be required by the State, or the Registrar or Co-Registrar to provide indemnity to the State and the Registrar or Co-Registrar in a form acceptable to the Registrar or Co-Registrar against any and all claims arising out of or otherwise related to the issuance of substitute Bonds pursuant to this Section;

(ii) in the case of a mutilated Bond the Registered Owner shall deliver the Bond to the Registrar for cancellation; and

(iii) in the case of a lost, stolen or destroyed Bond, the Registered Owner shall provide evidence, satisfactory to the Registrar, of the ownership and the loss, theft or destruction of the affected Bond.

Upon compliance with the foregoing, a new Bond of like tenor and denomination, executed by the State, shall be authenticated by the Co-Registrar and delivered to the Registered Owner, all at the expense of the Registered Owner to whom the substitute Bond is delivered. Notwithstanding the foregoing, the Co-Registrar shall not be required to authenticate and deliver any substitute for a Bond which has been called for redemption or which has matured or is about to mature and, in any such case, the principal or redemption price then due and accrued interest thereon or becoming due shall be paid by the Registrar in accordance with the terms of the mutilated, lost, stolen or destroyed Bond without substitution therefor.

(b) Every substituted Bond issued pursuant to this Section shall constitute an additional contractual obligation of the State, whether or not the Bond alleged to have been destroyed, lost or stolen shall be at any time enforceable by anyone, and shall be entitled to all the benefits of this Order equally and proportionately with any and all other Bonds duly issued hereunder.

(c) All Bonds shall be held and owned upon the express condition that the foregoing provisions are exclusive with respect to the replacement or payment of mutilated, destroyed, lost or stolen Bonds, and shall preclude any and all other rights or remedies, unless expressly inconsistent with any law or statute existing or hereafter enacted with respect to the replacement or payment of negotiable instruments, investments or other securities without their delivery.

(F) Payments of Principal, Redemption Price and Interest; Persons Entitled Thereto.

(a) Except as provided in (J) below, the principal or redemption price of each Bond shall be payable by the Paying Agent in immediately available funds upon delivery of such Bond to the Registrar at its principal office. Such payments shall be made to the Registered Owner of the Bond so delivered, as shown on the registration books maintained by the Registrar or Co-Registrar on the date of payment.

(b) Subject to the further provisions set forth herein, each Bond shall accrue interest and be payable as to interest as follows:

(i) Each Bond shall accrue interest (A) from the date of authentication, if authenticated on an interest payment date to which interest has been paid or duly provided for, or (B) from the last preceding interest payment date to which interest has been paid in full or duly provided for (or the issue date if no interest thereon has been paid or duly provided for) in all other cases.

(ii) Subject to the provisions of subparagraph (iii) below, the interest due on any Bond on any interest payment date shall be paid to the Registered Owner of such Bond as shown on the registration books kept by the Registrar or Co-Registrar as of the fifteenth (15th) day of the month preceding any interest payment date (the "Regular Record Date"), regardless of whether such date is a Saturday, Sunday or legal holiday. The amount of interest so payable on any interest payment date shall be computed on the basis of a 360-day year composed of twelve 30-day months.

(iii) If the available funds under this Order are insufficient on any interest payment date to pay the interest then due, such available funds shall be used to pay interest on each series of Bonds and the Prior Bonds on a pro rata basis, and the Regular Record Date shall no longer be applicable with respect to the Bonds. If funds for the payment of such overdue interest thereafter become available, the Registrar shall promptly establish a special interest payment date for the payment of the overdue interest and a special record date (which shall be a Business Day) for determining the Registered Owners entitled to such payments ("Special Record Date"). Notice of such Special Record Date shall be mailed by the Registrar or Co-Registrar to each Registered Owner not less than 10 days prior to such Special Record Date, but not more than 30 days prior to such Special Record Date. The overdue interest shall be paid on the special interest payment date to the Registered Owners, as shown on the registration books kept by the Registrar or Co-Registrar as of the close of business on the Special Record Date.

(iv) All payments of interest on the Bonds shall be paid to the Registered Owners entitled thereto by check or draft mailed by the Paying Agent, or, at the option of any Registered Owner of at least $1,000,000 in aggregate principal amount of Bonds, by wire transfer in immediately available funds to a domestic bank account specified in writing by the Registered Owner to the Paying Agent at least 5 days prior to such Record Date.

(G) Cancellation and Disposition of Surrendered Bonds. The Registrar shall cancel (a) all Bonds surrendered for registration of transfer or exchange and for payment at maturity or for redemption, and (b) all Bonds purchased at the direction of the State and surrendered to the Registrar for cancellation, and the Registrar shall dispose of such Bonds in accordance with the Registrar's document retention policies. The Registrar shall deliver to the State a certificate of cancellation or disposition in respect of all Bonds cancelled or disposed of in accordance with this Section.

(H) Act of Registered Owners; Evidence of Ownership. Any action to be taken by Registered Owners may be evidenced by one or more concurrent written instruments of similar tenor signed or executed by such Registered Owners in person or by an agent appointed in writing. The fact and date of the execution by any person of any such instrument may be proved by acknowledgment before a notary public or other officer empowered to take acknowledgments or by an affidavit of a witness to such execution or by any other method satisfactory to the Registrar. Any action by the Registered Owner of any Bond shall bind all future Registered Owners of the same Bond or of any Bond issued upon the exchange or registration of transfer thereof in respect of anything done or suffered by the State or the Registrar or Co-Registrar in pursuance thereof.

(I) Book Entry System.

(a) DTC will act as securities depository (the "Securities Depository") for the Bonds. The Bonds shall be initially issued in the form of a single fully registered Bond for each maturity registered in the name of Cede & Co., as nominee for DTC. So long as Cede & Co. is the Registered Owner of the Bonds, as nominee of DTC, references herein to Registered Owners, Bondholders or holders of the Bonds shall mean Cede & Co. and shall not mean the beneficial owners of the Bonds.

(b) The interest of each of the beneficial owners of the Bonds will be recorded through the records of a DTC Participant. Transfers of beneficial ownership interests in the Bonds which are registered in the name of Cede & Co. will be accompanied by book entries made by DTC and, in turn, by the DTC Participants who act on behalf of the beneficial owners of the Bonds.

(c) With respect to Bonds registered in the name of Cede & Co. as nominee of DTC, the State, the Registrar and the Co-Registrar shall have no responsibility or obligation to any DTC Participant or to any person on behalf of whom a DTC Participant holds an interest in the Bonds, except as provided in this Order. Without limiting the immediately preceding sentence, the State, the Registrar and the Co-Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of the DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a Registered Owner, as shown on the registration books of the State maintained by the Registrar or the Co-Registrar, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than a Registered Owner, as shown in the registration books of any amount with respect to principal and interest on the Bonds.

(d) Notwithstanding any other provisions of this Order to the contrary, the State, the Registrar, and the Co-Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the registration books as the absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent shall pay all principal and interest on the Bonds only to or upon the order of the respective Registered Owners, as shown in the registration books as provided in this Order, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the State's obligations with respect to payment of principal and interest on the Bonds to the extent of the sum or sums so paid.

(e) No person other than a Registered Owner, as shown in the registration books, shall receive a Bond certificate evidencing the obligation of the State to make payments of principal, premium, if any, and interest, pursuant to this Order.

(f) Any provision of this Order permitting or requiring the delivery of Bonds shall, while the book-entry system is in effect, be satisfied by the notation on the books of DTC or a DTC Participant, if applicable, of the transfer of the beneficial owner's interest in such Bond.

(g) So long as the book-entry system is in effect, the Registrar and the Co-Registrar shall comply with the terms of the Letter of Representations and the procedures of DTC.

(h) DTC may determine to discontinue providing its service with respect to the Bonds at any time by giving written notice and all relevant information on the beneficial owners of the Bonds to the State, the Registrar and the Co-Registrar and discharging its responsibilities with respect thereto under applicable law. If there is no successor Securities Depository appointed by the State, the Co-Registrar shall authenticate and deliver Bonds to the beneficial owners thereof. The State may determine not to continue participation in the system of book-entry transfers through DTC (or a successor Securities Depository) at any time by giving reasonable written notice to DTC (or a successor Securities Depository), the Registrar and the Co-Registrar. In such event, the State shall execute and deliver to the Co-Registrar, and the Co-Registrar shall authenticate and deliver, the Bonds to the beneficial owners thereof identified by DTC.

(i) Payments by the DTC Participants to beneficial owners will be governed by standing instructions and customary practices, as is now the case with municipal securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such DTC Participant and not of DTC, the Registrar, the Co-Registrar or the State, subject to any statutory and regulatory requirements as may be in effect from time to time.

(J) Redemption. The Bonds shall be subject to redemption prior to maturity as set forth in the Subsequent Order. Redemption shall be made at such times as the State shall, not later than

45 days prior to the date on which any Bond may be optionally redeemed, designate in a Certificate delivered to the Registrar.

(a) Selection of Bonds To Be Redeemed. In the event of redemption of less than all of the outstanding Bonds of like series and maturity, the Registrar or Co-Registrar, as applicable, or DTC (or other Securities Depository) and its Participants with respect to Book-Entry Bonds, shall select the Bonds to be redeemed by lot, using such method of selection as it shall deem proper in its discretion. In making such selection the Registrar or Co-Registrar, as applicable, or DTC shall treat each Bond as representing that number of Bonds of the lowest authorized denomination as is obtained by dividing the principal amount of such Bond by such denomination.

(b) Notice of Redemption; Conditional Redemption. When the Registrar or Co-Registrar, as applicable, shall receive notice from the State of its election or direction to redeem Bonds, the Registrar or Co-Registrar, as applicable, shall give notice, in the name of the State, of the redemption of such Bonds. Notice of any such redemption shall be given by the Registrar or Co-Registrar, as applicable, in accordance with the directions and requirements of DTC, and by mailing a copy of the redemption notice by first class mail (postage prepaid) or electronic means at least 30 days and not more than 60 days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed in whole or in part at the address shown on the Bond Register. Failure to give such notice by mailing to any owner, or any defect therein, shall not affect the validity of any proceedings for the redemption of Bonds with respect to Bonds or portions thereof for which no failure has occurred.

The redemption notice may state that (i) it is conditioned upon the deposit of moneys by the State, in an amount equal to the amount necessary to effect the redemption, with the Registrar no later than the scheduled redemption date or (ii) the State retains the right to rescind such notice on or prior to the scheduled redemption date (in either case, a "Conditional Redemption"), and such notice and redemption shall be of no effect if such moneys are not so deposited or if the notice is rescinded as described in this subsection (b). In the case of a Conditional Redemption subject to the deposit of moneys, the failure of the State to make funds available in part or in whole on or before the scheduled redemption

date shall not constitute a default in payment of the Bonds and any Bonds subject to such Conditional Redemption shall remain outstanding. Any Conditional Redemption subject to rescission may be rescinded in whole or in part at any time on or prior to the scheduled redemption date if the State instructs the Registrar in writing to rescind the redemption notice. Any Bonds subject to Conditional Redemption where redemption has been rescinded shall remain outstanding, and the rescission shall not constitute a default in payment of the Bonds.

All notices of redemption shall be dated and shall state (i) the redemption date; (ii) the redemption price; (iii) the identifying number and CUSIP number (and in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed; (iv) the date of issuance of the Bonds; (v) the interest rate or rates and maturity date or dates of the Bonds to be redeemed; (vi) that on the redemption date the redemption price will become due and payable on each such Bond and interest thereon will cease to accrue thereon from and after said date; (vii) the agent name, contact person and address where such Bonds are to be surrendered for payment; and (viii) any other descriptive information that, in the opinion of the Registrar, is needed to identify accurately the Bonds being redeemed.

Any notice mailed as provided in this Section shall be conclusively presumed to have been duly given, whether or not the owner of such Bonds receives the notice.

(c) Partial Redemption of Bonds. Upon surrender of any Bond for redemption in part only, the State shall execute, and the Co-Registrar shall register, authenticate and deliver to the owner thereof, a new Bond or Bonds of authorized denominations in an aggregate principal amount equal to the unredeemed portion of the Bond surrendered.

The State and the Registrar may agree with DTC that DTC may, in lieu of surrendering a partially redeemed Bond for a new Bond, endorse on such Bond a notice of such partial redemption, which notice shall set forth, over the signature on behalf of DTC, the payment date, the principal amount redeemed and the principal amount remaining unpaid. Such partial redemption shall be valid upon payment of the amount thereof to the owner of any such Bond and the State and the Registrar shall be fully released and discharged from all liability to the extent of such payment irrespective of whether such endorsement shall or shall not have been made upon the reverse of such Bond by DTC and irrespective of any error or omission in such endorsement.

(d) Effect of Call for Redemption. On the date designated for redemption by notice given as herein provided, the Bonds so called for redemption shall become and be due and payable at the redemption price provided for on such date. If on the date fixed for redemption moneys for payment of the redemption price and accrued interest are held by the Paying Agent, interest on such Bonds so called for redemption shall cease to accrue, such Bonds shall cease to be entitled to any benefit or security hereunder except the right to receive payment from the moneys held by the Paying Agent and the amount of such Bonds so called for redemption shall be deemed paid and no longer outstanding.

Section 5. Competitive Sale of Bonds. The Notice of Sale (the "Notice of Sale") with respect to the Bonds attached hereto as Exhibit A and made a part of this Executive Order as though set forth in full herein, and the publication of the summary thereof is hereby approved, with such supplements, changes, insertions and omissions as shall be consistent with the Act. The Bonds shall be sold by competitive sale, pursuant to the Notice of Sale, at a price of 100% of the principal amount thereof or at such other price as may be awarded through and as a result of such competitive sale process, upon the advice of Public Resources Advisory Group, as the Financial Advisor (the "Financial Advisor"), which shall be approved and confirmed by me, as Governor, by execution of the Subsequent Order. Execution of the Subsequent Order by me, as Governor, shall be conclusive evidence of my approval and confirmation of the sale of the Bonds.

Section 6. Official Statement. The Preliminary Official Statement dated May 10, 2021, and the distribution of such Preliminary Official Statement is hereby ratified, confirmed and approved. The final Official Statement of the State (the "Official Statement"), to be dated the date of the sale of the Bonds, shall be approved by the Subsequent Order. As Governor, I shall execute and deliver an appropriate number of copies of such Official Statement for distribution to prospective purchasers thereof and other interested persons.

Section 7. Disclosure Dissemination Agent Agreement. The Disclosure Dissemination Agent Agreement (the "Disclosure Agreement") between the State and Digital Assurance Certification, L.L.C., to be dated as of the date of closing, is hereby approved.

Section 8. Closing Date. As Governor, I shall, and other proper officers of the State are hereby authorized and directed to, execute and deliver any and all papers and instruments and to do and cause to be done any and all action and things necessary or proper for carrying out

the transactions contemplated by this Order, including but not limited to, the execution of the Disclosure Agreement, on or about June 3, 2021.

Section 9. Use of Bond Proceeds. The proceeds of the Bonds (plus any original issue premium and less any original issue discount) are hereby ordered to be deposited in a separate special "Roads To Prosperity Amendment of 2017" subaccount in the State Road Fund held in the Treasury and applied by the Commissioner of Highways for the purposes set forth in the Act.

Section 10. Payment of Bonds. The accumulation of money to make the principal and interest payments on the Bonds shall be as follows:

A. On or before June 3, 2021, the Division of Highways (the "Division"), West Virginia Department of Transportation, will transfer to the Roads To Prosperity Bond Debt Service Fund created in the Treasury, the funds required for payment of all necessary and reasonable expenses incident to the issuance of the Bonds, as further described in Section 11 below.

B. On or before July 15, 2021, and on or before the fifteenth day of each month thereafter to and including March 15, 2022, the Division will transfer to the Roads To Prosperity Bond Debt Service Fund one-tenth (1/10) of the amount certified by the Commissioner of Highways as the principal and interest requirement on the Bonds for the fiscal year ending June 30, 2022.

C. On or about April 1, 2022, and each April 1 thereafter to and including April 1, 2046, the Division shall determine the amount of investment earnings generated by and held in the Roads To Prosperity Bond Debt Service Fund.

D. On or before April 15, 2022, and each April 15 thereafter to and including April 15, 2046, the Division shall transfer to the Roads To Prosperity Bond Debt Service Fund the difference between the one-tenth (1/10) payment requirement described below and the investment earnings.

E. Commencing on or before July 15, 2022, and commencing on or before the fifteenth day of each July to and including April 15, 2046, the Division shall make the ten monthly transfers and determinations as set forth in Paragraphs B, C and D above, with each April 15th payment being the difference between the remaining one-tenth (1/10) of the debt service

requirement and the then accumulated investment earnings held in the Roads To Prosperity Bond Debt Service Fund.

G. The moneys in the Roads To Prosperity Bond Debt Service Fund shall be applied each June 1 and December 1 to the payment of principal of and interest on the Bonds.

Section 11. Cost of Issuance. Pursuant to the Act, all necessary and reasonable expenses incident to the issuance of the Bonds, including, but not limited to, mailing and delivery of the Bonds, the Official Statement, any amendment or supplement to the Official Statement, including the mailing and delivery thereof by the printer, fees and expenses of the Bid Buyer, fees and expenses of Bond Counsel, fees and expenses of Disclosure Counsel, fees and expenses of the Financial Advisor, any fee charged by rating agencies for the rating of the Bonds, fees and expenses of the Co-Registrar, and any other cost, charge or fee incurred in the issuance of the Bonds, shall be paid out of the Roads to Prosperity Bond Debt Service Fund, being a special account in the State treasury.

Section 12. Effective Date. This Order shall take effect on the date hereof.

[Remainder of this page intentionally left blank.]

IN WITNESS WHEREOF, We have hereunto set our hands and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol in the City of Charleston, State of West Virginia, this Seventh day of May, in the year of our Lord, Two Thousand Twenty-One in the One Hundred Fifty-Eighth year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

EXHIBIT A

Notice of Sale

[Attached]

NOTICE OF SALE

STATE OF WEST VIRGINIA

**$200,000,000*
GENERAL OBLIGATION STATE ROAD BONDS
SERIES 2021 A**

AND

**$14,265,000*
GENERAL OBLIGATION STATE ROAD REFUNDING BONDS
SERIES 2021 B**

BONDS DATED: DATE OF DELIVERY

SERIES 2021 A BONDS: ELECTRONIC BIDS ONLY RECEIVED UNTIL 10:15 A.M. (EASTERN DAYLIGHT TIME)

SERIES 2021 B BONDS: ELECTRONIC BIDS ONLY RECEIVED UNTIL 10:45 A.M. (EASTERN DAYLIGHT TIME)

TUESDAY, MAY 18, 2021*

* Preliminary; subject to change.

NOTICE OF SALE

STATE OF WEST VIRGINIA

**$200,000,000*
GENERAL OBLIGATION STATE ROAD BONDS
SERIES 2021 A**

**$14,265,000*
GENERAL OBLIGATION STATE ROAD
REFUNDING BONDS
SERIES 2021 B**

Electronic bids for the purchase of all, and not less than all of the principal amount of $200,000,000* State of West Virginia General Obligation State Road Bonds, Series 2021 A (the "Series 2021 A Bonds"), and $14,265,000* State of West Virginia General Obligation State Road Refunding Bonds, Series 2021 B (the "Series 2021 B Bonds", and together with the Series 2021 A Bonds the "Bonds") will be received by the State of West Virginia (the "State") on Tuesday, May 18, 2021 or on such other date and time as the State shall determine consistent with terms of this Notice of Sale ("Date of Sale") at the times and in the manner described below:

Until 10:15 a.m. (Eastern Daylight Time) -- Series 2021 A Bonds

Until 10:45 a.m. (Eastern Daylight Time) -- Series 2021 B Bonds

In each case, subject to postponement or cancellation in accordance with the terms of the Notice of Sale. See "Right to Change the Official Notice of Sale and to Postpone or Cancel Offering" below.

Capitalized terms not defined herein shall have the meanings ascribed to them in the Preliminary Official Statement dated the date hereof.

State law requires that all costs of issuance, including underwriters' discount, be paid by the State. ***Accordingly, the successful bidder for each series of Bonds (together, the "Successful Bidders") will be required to wire the gross purchase price for the respective series of Bonds to the State at closing and will in return receive its underwriters' discount from the State via wire transfer. The underwriters' discount shall not exceed $5.00 per $1,000 of par amount of the applicable series of Bonds.***

Description of the Bonds

The Bonds will be issued only as fully registered bonds in book-entry form. The Bonds will be dated the date of their delivery and will be issued in denominations of $5,000 or any integral multiple thereof. Interest on the Bonds will be payable semiannually on June 1 and December 1, commencing December 1, 2021. Interest on the Bonds will be calculated on a 30/360 day basis. The Series 2021 A Bonds will mature semiannually and become due and payable beginning June 1, 2024, and on each June 1 and December 1 thereafter through final maturity of the Bonds as set forth below. The Series 2021 B Bonds will mature semiannually and become due and payable beginning December 1, 2021, and on each June 1 and December 1 thereafter through final maturity of the Bonds as set forth below.

Series 2021 A Bonds

Aggregate Principal Amount: $200,000,000*

Principal with respect to Series 2021 A Bonds will mature and sinking fund installments with respect to the Series 2021 A Bonds to be issued as term bonds, if any, will be paid on June 1 and December 1 in each of the years and in the principal amounts shown below:

* Preliminary; subject to change.

Series 2021 A Bonds			
Date of Maturity	Amount ($)*	Date of Maturity	Amount ($)*
06/01/2024	$2,455,000	12/01/2035	$4,330,000
12/01/2024	2,515,000	06/01/2036	4,440,000
06/01/2025	2,580,000	12/01/2036	4,550,000
12/01/2025	2,640,000	06/01/2037	4,665,000
06/01/2026	2,710,000	12/01/2037	4,780,000
12/01/2026	2,775,000	06/01/2038	4,900,000
06/01/2027	2,845,000	12/01/2038	5,020,000
12/01/2027	2,915,000	06/01/2039	5,145,000
06/01/2028	2,990,000	12/01/2039	5,275,000
12/01/2028	3,065,000	06/01/2040	5,405,000
06/01/2029	3,140,000	12/01/2040	5,540,000
12/01/2029	3,220,000	06/01/2041	5,680,000
06/01/2030	3,300,000	12/01/2041	5,825,000
12/01/2030	3,380,000	06/01/2042	5,970,000
06/01/2031	3,465,000	12/01/2042	6,115,000
12/01/2031	3,555,000	06/01/2043	6,270,000
06/01/2032	3,640,000	12/01/2043	6,425,000
12/01/2032	3,735,000	06/01/2044	6,590,000
06/01/2033	3,825,000	12/01/2044	6,755,000
12/01/2033	3,920,000	06/01/2045	6,920,000
06/01/2034	4,020,000	12/01/2045	7,095,000
12/01/2034	4,120,000	06/01/2046	7,270,000
06/01/2035	4,225,000		

* Preliminary; subject to change.

Series 2021 B Bonds

Aggregate Principal Amount: $14,265,000*

Principal with respect to the Series 2021 B Bonds will be paid on June 1 and December 1 in each of the years and in the amounts set forth in the table that follows. No term bonds are permitted for Series 2021 B Bonds.

Series 2021 B Bonds	
Date of Maturity	Amount ($)*
12/01/21	$3,500,000
06/01/22	3,495,000
12/01/22	3,635,000
06/01/23	3,635,000

* Preliminary; subject to change.

Authorization and Security

Series 2021 A Bonds

The Series 2021 A Bonds are issued under and pursuant to the Roads to Prosperity Amendment of 2017 (Article VI, Section 52 of the Constitution), House Concurrent Resolution No. 105, Chapter 17, Article 26A of the Code of West Virginia, 1931, as amended (the "RTP Bond Act"), and two executive orders of the Governor of the State, the first dated May 7, 2021 and the second to be dated the Date of Sale, respectively.

The Series 2021 A Bonds will be general obligations of the State, and the full faith and credit of the State will be irrevocably pledged to the punctual payment of the principal of and interest on the Series 2021 A Bonds as the same become due. As more fully described in the Preliminary Official Statement, in each year while the Series 2021 A Bonds, or any of them, remain outstanding and unpaid, the State covenants as follows: (1) that the Series 2021 A Bonds shall constitute a direct and general obligation of the State; (2) that the full faith and credit of the State is pledged to secure the payment of the principal and interest of the Series 2021 A Bonds; (3) that an annual state tax shall be collected in an amount sufficient to pay, as it may accrue, the interest on the Series 2021 A Bonds and the principal thereof; and (4) that the tax shall be levied in any year only to the extent that the moneys transferred to the Roads to Prosperity Bond Debt Service Fund as provided in Sections 3 and 4 of the RTP Bond Act, which are irrevocably set aside and appropriated for and applied to the payment of the interest on and principal of the Series 2021 A Bonds becoming due and payable in such year, are insufficient therefor.

Series 2021 B Bonds

The Series 2021 B Bonds are issued under and pursuant to the Safe Roads Amendment of 1996 (Article VI, Section 52 of the Constitution), House Concurrent Resolution No. 68, Chapter 17, Article 26 of the Code of West Virginia, 1931, as amended (the "SR Bond Act"), Chapter 13, Article 2G of the Code of West Virginia, 1931, as amended, and two executive orders of the Governor of the State, the first dated May 7, 2021 and the second to be dated the Date of Sale, respectively.

The Series 2021 B Bonds will be general obligations of the State, and the full faith and credit of the State will be irrevocably pledged to the punctual payment of the principal of and interest on the Series 2021 B Bonds as the same become due. As more fully described in the Preliminary Official Statement, in each year while the Series 2021 B Bonds, or any of them, remain outstanding and unpaid, the State covenants as follows: (1) that the Series 2021 B Bonds shall constitute a direct and general obligation of the State; (2) that the full faith and credit of the State is pledged to secure the payment of the principal and interest of the Series 2021 B Bonds; (3) that an annual state tax shall be collected in an amount sufficient to pay, as it may accrue, the interest on the Series 2021 B Bonds and the principal thereof; and (4) that the tax shall be levied in any year only to the extent that the moneys transferred to the Safe Road Bond Debt Service Fund as provided in Sections 3 and 4 of the SR Bond Act, which are irrevocably set aside and appropriated for and applied to the payment of the interest on and principal of the Series 2021 B Bonds becoming due and payable in such year, are insufficient therefor.

Optional Redemption

Series 2021 A Bonds

The Series 2021 A Bonds maturing on or after December 1, 2031, are subject to optional redemption at the option of the State, prior to maturity, on or after June 1, 2031, in whole or in part at any time from amounts deposited with the Paying Agent by the State and from other funds available therefor at a redemption price of par, plus accrued interest to the date fixed for redemption. Redemption shall be made at such times as the State shall, not later than 45 days prior to the date on which any Series 2021 A Bond may be optionally redeemed, designate in a certificate delivered to the Registrar.

Series 2021 B Bonds

The Series 2021 B Bonds are not subject to optional redemption.

Notice of Redemption

If any of the Bonds (or any portion of the principal amount thereof in installments of $5,000) shall be called for redemption, notice of the redemption thereof, specifying the date, number and maturity of such Bond, the date and place or places fixed for its redemption, that such Bond must be surrendered in exchange for the principal amount thereof to be redeemed and a new Bond or Bonds issued equaling in principal amount that portion of the principal amount thereof not to be redeemed, shall be provided in accordance with the directions of DTC, and mailed not less than thirty (30) days prior to the date fixed for redemption, by first class mail, postage prepaid, or electronic means to the registered owner of such Bond at his address as it appears on the books of registry kept by the Registrar and Paying Agent for the Bonds as of the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption. If notice of the redemption of any Bond (or portion thereof in installments of $5,000) shall have been given as aforesaid, and payment of the principal amount of such Bond (or the portion of the principal amount thereof to be redeemed) and of the accrued interest payable upon such redemption shall have been duly made or provided for, interest thereon shall cease to accrue from and after the date so specified for the redemption thereof.

So long as the Bonds are in book-entry only form, any notice of redemption shall be given only to DTC or to its nominee. The State shall not be responsible for providing any beneficial owner of the Bonds any notice of redemption.

Serial Bonds, Term Bonds and Mandatory Sinking Fund Redemption

Bidders for the Series 2021 A Bonds may provide for all of the Series 2021 A Bonds to be issued as serial bonds or may designate consecutive semi-annual principal amounts of the Series 2021 A Bonds to be combined into term bonds; provided, that bidders may not provide for more than two term bonds. Each such term bond shall be subject to mandatory sinking fund redemption commencing on either June 1 or December 1 of the first year which has been combined to form such term bond and continuing on June 1 and December 1 in each year thereafter until the stated maturity date of that term bond. The amount redeemed in any year shall be equal to the principal amount for such semi-annual period as set forth in the amortization schedule above. Series 2021 A Bonds to be redeemed in any year by mandatory sinking fund redemption shall be redeemed at par and shall be selected by lot from among the Series 2021 A Bonds of the maturity being redeemed.

Bidders for the Series 2021 B Bonds shall provide for all of the Series 2021 B Bonds to be issued as serial bonds.

Book-Entry Only System

The Bonds will be issued as fully-registered bonds in the name of Cede & Co., as nominee of DTC. DTC will act as securities depository for the Bonds. One fully-registered Bond will be issued for each maturity, and will be deposited with the DTC.

Purchases of the Bonds will be made only in book-entry form through DTC Participants in the principal amount of $5,000 and integral multiples thereof and no physical delivery of the Bonds will be made to purchasers. Unless otherwise provided herein, payments of the principal, interest and premium, if any, will be made to purchasers by DTC through its Participants.

Transfer of principal and interest payments to beneficial owners will be the responsibility of DTC and such participants and other nominees of the beneficial owners. The State will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

DTC may discontinue providing its services as securities depository with respect to the Bonds at any time by giving reasonable notice to the State. Under such circumstances, in the event that a successor securities depository is not obtained, Bond certificates are required to be prepared, executed and delivered.

The State may decide to discontinue use of the system of book-entry transfers through DTC (or a successor securities depository). In that case, either a successor depository will be selected by the State or Bond certificates will be prepared, executed and delivered.

Reference is made to the Preliminary Official Statement for the applicable provisions relating to the transfer of beneficial ownership, manner of redemption, the responsibilities of DTC participants and the right of the State to discontinue the book-entry-only system.

Bid Submission

Electronic bids via the Bidcomp™/PARITY® Competitive Bidding System (the "Competitive Bidding System") for the Series 2021 A Bonds will be accepted until 10:15 a.m., Eastern Daylight Time, on the Date of Sale, in accordance with this Notice of Sale.

Electronic bids via the Competitive Bidding System for the Series 2021 B Bonds will be accepted until 10:45 a.m., Eastern Daylight Time, on the Date of Sale, in accordance with this Notice of Sale.

The State is using the Competitive Bidding System as a communication mechanism to conduct the electronic bidding for the sale of the Bonds, as described herein. To the extent any instructions or directions set forth in the Competitive Bidding System conflict with this Notice of Sale, the terms of this Notice of Sale shall control. Each bidder submitting an electronic bid agrees (i) that it is solely responsible for all arrangements with the Competitive Bidding System, (ii) that the Competitive Bidding System is not acting as the agent of the State, and (iii) that the State is not responsible for ensuring or verifying bidder compliance with any of the procedures of the Competitive Bidding System. The State assumes no responsibility for, and each bidder expressly assumes the risks of and responsibility for, any incomplete, inaccurate or untimely bid submitted by such bidder through the Competitive Bidding System. Each bidder shall be solely responsible for making necessary arrangements to access the Competitive Bidding System for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the State nor the Competitive Bidding System shall have any duty or obligation to provide or assure such access to any bidder, and neither the State nor the Competitive Bidding System shall be responsible for proper operation of, or have any liability for, any delays or interruptions of, or any damages caused by, the Competitive Bidding System. For further information about the Competitive Bidding System, potential bidders may contact Bidcomp™/PARITY®, 1359 Broadway, 2nd Floor, New York, New York 10018, telephone (212) 849-5021.

Each bid must be unconditional. No bids will be accepted in written form, by facsimile transmission or in any other medium or on any system other than by means of the Competitive Bidding System.

Bidding Rules and Revisions to Bidding Rules

Series 2021 A Bonds: Bidders may only bid to purchase all of the Series 2021 A Bonds. All bids must be unconditional. No bid for less than 100% of the par value of the aggregate principal amount of the Series 2021 A Bonds shall be considered. Bidders are invited to name the rate of interest per annum that the Series 2021 A Bonds are to bear in multiples of one-twentieth (1/20th) or one-eighth (1/8th) of one percent. The rate of interest stated for all maturities must be 5.0% per annum. No more than two term bonds are permitted for bids submitted for the Series 2021 A Bonds. Term bonds must consist of semiannual consecutive maturities with like rates.

Series 2021 B Bonds: Bidders may only bid to purchase all of the Series 2021 B Bonds. All bids must be unconditional. No bid for less than 100% of the par value of the aggregate principal amount of the Series 2021 B Bonds shall be considered. Bidders are invited to name the rate of interest per annum that the Series 2021 B Bonds are to bear in multiples of one-twentieth (1/20th) or one-eighth (1/8th) of one percent. Any number of rates may be named, provided that for (a) the lowest rate of interest stated for any maturity may not be less than 1.0% per annum, (b) the highest rate of interest stated for any maturity may not exceed 5.0% per annum. No term bonds are permitted for bids submitted for the Series 2021 B Bonds.

All bids will remain firm for a period of no less than five hours after the time specified for the opening of bids. An award of each series of the Bonds, if made, will be made by the State within such five-hour period or, with the express consent of the bidders, such longer time period as deemed necessary.

THE BIDDING RULES SET FORTH IN THIS SECTION MAY BE REVISED BEFORE RECEIPT OF ELECTRONIC BIDS FOR PURCHASE OF EACH SERIES OF THE BONDS. ANY REVISIONS TO THE BIDDING RULES WILL BE INCLUDED AS A SUPPLEMENT TO THE NOTICE OF SALE AND POSTED ON IMAGEMASTER, LLC MUNIOS.COM ("MUNIOS.COM") (munios.com) NO LATER THAN 10:00 A.M. (EASTERN DAYLIGHT TIME) ON THE DATE OF SALE.

Adjustments to Principal Amount, Call Date and Closing Date

The aggregate principal amount of the Series 2021 A Bonds of $200,000,000[1] and the Series 2021 B Bonds of $14,265,000[1] and the principal amount of each semiannual maturity of the Bonds as set forth in this Notice of Sale (the "Preliminary Aggregate Principal Amount" and the "Preliminary Principal Amount" of each semiannual maturity, respectively, and collectively, the "Preliminary Principal Amounts") may be revised before and after the receipt of electronic bids for their purchase. ANY REVISIONS TO THE PRINCIPAL AMOUNTS (the "Adjusted Aggregate Principal Amount" and the "Adjusted Principal Amount" of each semiannual maturity, respectively, and collectively, the "Adjusted Amounts") made prior to the receipt of electronic bids WILL BE INCLUDED AS A SUPPLEMENT TO THE NOTICE OF SALE AND POSTED ON MUNIOS.COM NO LATER THAN 10:00 A.M. (EASTERN DAYLIGHT TIME) ON THE ANNOUNCED DATE FOR RECEIPT OF BIDS. In the event that no such revisions are made, the Preliminary Amounts will constitute the Adjusted Amounts. Bidders shall submit bids on the Adjusted Amounts, and the Adjusted Amounts will be used to compare bids and select a winning bidder.

As promptly as reasonably possible after the bids are received, the State will notify the bidders to whom the Series 2021 A Bonds and the Series 2021 B Bonds, respectively, will be awarded, if and when such award is made, and each such bidder, upon such notice, shall advise the State of the initial public offering prices of each maturity of the Bonds (the "Initial Reoffering Prices") as described below under "Undertakings of the Successful Bidders." The Initial Reoffering Prices of the Bonds will be used to calculate the final maturity schedule and the final aggregate principal amount of each series of the Bonds (the "Final Amounts"). In determining the Final Amounts, the State will not reduce or increase the revised aggregate principal amount by more than 25% from the amount bid upon. The dollar amount bid by the successful bidder of each series will be adjusted as necessary to reflect any increase or decrease in the aggregate principal amount of the applicable series of the Bonds. Such adjusted bid price will reflect changes in the dollar amount of the underwriters' discount and original issue premium/discount, if any, but **will not change such successful bidder's compensation per $1,000 of par amount of the applicable series of Bonds from the selling compensation that would have been received based on the purchase price in the winning bid and the Initial Reoffering Prices.** The successful bidder of each series may not withdraw its bid as a result of any change made within the foregoing limits. The Final Amounts will be communicated to the Successful Bidders as soon as possible, but not later than 5:00 P.M. Eastern Daylight Time on the date of the sale.

The State may also change the call date and scheduled delivery date for each series of the Bonds by notice given in the same manner as that set forth above.

Basis of Award of the Bonds

Unless all bids are rejected, the each series of Bonds will be awarded to the bidder complying with the terms of this Notice of Sale and submitting a bid that provides the lowest "true" interest cost to the State for the respective series of Bonds. True interest cost shall be determined for each bid by doubling the semiannual interest rate, compounded semiannually, necessary to discount the debt service payments from the payment dates to the Dated Date and to the price bid. If more than one bid offers the same lowest true interest cost, the successful bid will be selected by the State by lot, or by any other method that the State chooses. The State reserves the right to reject any or all bids and to waive any irregularity or informality with respect to any bid.

[1] Preliminary, subject to change.

Good Faith Deposit

The respective successful bidders for the Series 2021 A Bonds and the Series 2021 B Bonds are each required to submit a good faith deposit in the respective amounts of $2,000,000 and $142,000, payable to the order of the State (the "Good Faith Deposit") in the form of a wire transfer in federal funds. The Successful Bidders must submit their respective Good Faith Deposit not later than 4:00 P.M., Eastern Daylight Time, on the Date of Sale (the "Wire Transfer Deadline"). The State will distribute wiring instructions for the Good Faith Deposit to the Successful Bidders upon verification of the bids submitted by the bidders and prior to the Wire Transfer Deadline. The successful bidder of each series of Bonds shall provide the federal funds reference number upon request of the State. If a successful bidder fails to comply with the terms of its bid, the related Good Faith Deposit shall be retained by the State as full liquidated damages; otherwise, the amount thereof will be applied to the purchase price of the applicable series of Bonds at the time of delivery. No interest on the respective Good Faith Deposits will accrue to either of the Successful Bidders. If the Good Faith Deposit is not received by the Wire Transfer Deadline, the award of the sale of the respective series of Bonds to the respective successful bidder may be cancelled by the State in its discretion without any financial liability of the State.

Right to Change the Official Notice of Sale and to Postpone or Cancel Offering

The State reserves the right to make changes to this Notice of Sale and change, postpone, from time to time, or cancel the date and time established for the receipt of bids. Any such change, postponement or cancellation will be announced as a supplement to the Notice of Sale and posted on MUNIOS.COM. If the time for the receipt of bids is changed or postponed, any alternative time for receipt of bids will be announced via MUNIOS.COM by 9:00 AM on the morning of the announced date for receipt of bids. If the date for the receipt of bids is changed or postponed, any alternative date for receipt of bids will be announced via MUNIOS.COM not less than 18 hours before the alternative date for the receipt of bids. Any bidder must submit a bid for the purchase of the Bonds on such alternative time and sale date in conformity with the provisions of this Notice of Sale, except for any changes announced via MUNIOS.COM.

CUSIP Numbers

Public Resources Advisory Group, municipal advisor to the State, will timely apply for CUSIP numbers with respect to the Bonds as required by MSRB Rule G-34. The successful bidder will be responsible for the cost of assignment of such CUSIP numbers.

Undertakings of the Successful Bidders

The Successful Bidders shall each make a bona fide public offering of the applicable series of Bonds and shall, within 30 minutes of being notified of the award of the Bonds, advise the State in writing (via facsimile transmission) of the Initial Public Offering Prices of the Bonds and of the following information.

A. Selling compensation (aggregate total anticipated compensation to the underwriters expressed in dollars, based on the expectation that all Bonds are sold at the prices or yields at which the successful bidder advised the State that the Bonds were initially offered to the public).

B. The identity of the underwriters if the successful bidder is part of a group or syndicate.

C. Any other material information the State determines is necessary to complete the Official Statement in final form.

After the award of each series of the Bonds, the State will prepare copies of the Final Official Statement (the "Final Official Statement") and will include therein such additional information concerning the reoffering of the Bonds as the Successful Bidders may reasonably request; provided, however, that the State will not include in the Final Official Statement a "NRO" ("not reoffered") designation with respect to any maturity of the Bonds. The Successful Bidders will be responsible to the State in all aspects for the accuracy and completeness of information provided by such successful bidder with respect to such reoffering.

Establishment of Issue Price

The Successful Bidders shall assist the State in establishing the issue price of the Bonds and each shall execute and deliver to the State at Closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the applicable series of Bonds, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto as Exhibit A or Exhibit B, as applicable, with such modifications as may be appropriate or necessary, in the reasonable judgment of the applicable successful bidder, the State and Bond Counsel. All actions to be taken by the State under this Notice of Sale to establish the issue price of the Bonds may be taken on behalf of the State by the State's municipal advisor identified herein and any notice or report to be provided to the State may be provided to the State's municipal advisor.

Competitive Sale Requirements. The State expects that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because:

(i) the State has disseminated this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;

(ii) all bidders shall have an equal opportunity to bid;

(iii) the State may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and

(iv) the State anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. Each bidder, by submitting a bid, will be viewed as representing that it has an established industry reputation for underwriting new issuances of bonds.

Failure to Meet the Competitive Sale Requirements — The Successful Bidder Agrees to Hold the Price of Bonds for Which the 10% Test (as described below) Is Not Met as of the Sale Date. In the event that the competitive sale requirements are not satisfied, the State shall so advise the Successful Bidders. The State may determine to treat (i) the first price at which 10% of a maturity of the Bonds (the "10% test") is sold to the public as the issue price of that maturity and/or (ii) the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity (the "hold-the-offering-price rule"), in each case applied on a maturity-by-maturity basis (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity). The Successful Bidders shall advise the State if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. The State shall promptly advise the applicable successful bidder, at or before the time of award of the Bonds, which maturities of the Bonds shall be subject to the 10% test or shall be subject to the hold-the-offering-price rule. **Bidders should prepare their bids on the assumption that some or all of the maturities of the Bonds will be subject to the hold-the-offering-price rule in order to establish the issue price of the Bonds.**

By submitting a bid, the Successful Bidders shall each (i) confirm that the underwriters have offered or will offer the Bonds to the public on or before the date of award at the offering price or prices (the "initial offering price"), or at the corresponding yield or yields, set forth in the bid submitted by the successful bidder of the applicable series of Bonds and (ii) agree, on behalf of the underwriters participating in the purchase of the Bonds, that the underwriters will neither offer nor sell unsold the Bonds of any maturity to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following:

(i) the close of the fifth (5th) business day after the sale date; or

(ii) the date on which the underwriters have sold at least 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public.

The successful bidder of each series of Bonds shall promptly advise the State when the underwriters have sold 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public, if that occurs prior to the close of the fifth (5th) business day after the sale date.

The State acknowledges that, in making the representation set forth above, the successful bidder of each series of Bonds will rely on (i) the agreement of each underwriter to comply with the hold-the-offering-price rule, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the hold-the-offering-price rule, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event that an underwriter is a party to a retail distribution agreement that was employed in connection with the initial sale of the Bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the hold-the-offering-price rule, as set forth in the retail distribution agreement and the related pricing wires. The State further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the hold-the-offering-price rule and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a retail distribution agreement to comply with its corresponding agreement regarding the hold-the-offering-price rule as applicable to the Bonds.

By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to (A) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the successful bidder of each series of Bonds that either the 10% test has been satisfied as to Bonds of that maturity or all Bonds of that maturity have been sold to the public and (B) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the successful bidder of each series of Bonds and as set forth in the related pricing wires, and (ii) any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to (A) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the successful bidder of each series of Bonds or such underwriter that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public and (B) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the successful bidder of each series of Bonds or such underwriter and as set forth in the related pricing wires.

Sales of any Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

(i) "public" means any person other than an underwriter or a related party;

(ii) "underwriter" means (A) any person that agrees pursuant to a written contract with the State (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the public);

(iii) a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (ii) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (iii) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other); and

(iv) "sale date" means the date that the Bonds are awarded by the State to the Successful Bidders.

Delivery of Bonds

The Bonds are expected to be delivered on or about June 3, 2021 (unless a notice of change is provided in the manner described above), through the facilities of DTC, New York, New York.

The successful bidder of each series of Bonds will be furnished, without cost, with the approving opinion of the law firm of Jackson Kelly PLLC, Charleston, West Virginia, Bond Counsel, as to the validity and tax status of the applicable series of Bonds, substantially in the form attached to the Preliminary Official Statement.

The Successful Bidders will also be furnished a certificate by the Attorney General of the State stating that no litigation of any kind is now pending or, to his information, knowledge or belief, threatened to restrain or enjoin the issuance or delivery of the Bonds or in any manner questioning the proceedings and authority under which the Bonds are issued, or affecting the validity of the Bonds.

Official Statement

The State will furnish the Successful Bidders an electronic version of the Final Official Statement within seven business days from the date of the award of the Bonds, as specified or required in Rule 15c2-12 (the "Rule") of the Securities and Exchange Commission (the "SEC") and the rules of the Municipal Securities Rulemaking Board (the "MSRB").

The Successful Bidders agree to provide a copy of the Final Official Statement (with any required forms) to the MSRB in electronic format, as prescribed by the MSRB or its designee, no later than ten business days following the Date of Sale. The successful bidder of each series of Bonds shall notify the State as soon as practicable of (1) the date that is the end of the underwriting period (such "underwriting period" is described in the Rule), and (2) the date of filing the Final Official Statement with the MSRB or its designee. The State agrees to advise the Successful Bidders of any "developments that impact the accuracy and completeness of the key representations" (within the meaning of the Rule) contained in the Final Official Statement, which may occur during the requisite time period for such notification.

If the Bonds are awarded to a syndicate, the State will designate the senior managing underwriter of the syndicate as its agent for purposes of distributing copies of the Final Official Statement to each participating underwriter. Any underwriter executing and delivering a bid form with respect to the applicable series of Bonds agrees thereby that if its bid is accepted it shall accept such designation and shall enter into a contractual relationship with all participating underwriters for the purposes of assuring the receipt and distribution by each such participating underwriter of the Final Official Statement, unless another firm is so designated by the syndicate in writing and approved by the State.

Continuing Disclosure

To assist the Successful Bidders in complying with the Rule, the State will agree, pursuant to a continuing disclosure agreement, to provide certain annual financial information and operating data and notices of the occurrence of certain events. A description of this undertaking is set forth in the Preliminary Official Statement for the Bonds and will also be set forth in the Final Official Statement for the Bonds.

Additional Information

For further information relating to the Bonds and the State, reference is made to the State's Preliminary Official Statement. The State has deemed the Preliminary Official Statement to be final as of its date within the meaning of the Rule, except for the omission of certain pricing and other information permitted to be omitted pursuant to the Rule. The Preliminary Official Statement may be obtained from www.munios.com or the State's Financial Advisor, Christine Fay (cfay@pragadvisors.com) and Jessica Donnelly (jdonnelly@pragadvisors.com), Public Resources Advisory Group, 117 Gayley Street, Suite 200, Media, Pennsylvania 19063 (telephone 610-565-5990).

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Dated: May 7, 2021

STATE OF WEST VIRGINIA

By: Jim Justice, Governor

EXHIBIT A

[Expected to be used in the event Competitive Sale Requirements are met.]

ISSUE PRICE CERTIFICATE

$_____
STATE OF WEST VIRGINIA
GENERAL OBLIGATION STATE ROAD [REFUNDING] BONDS
SERIES 2021 [A][B]

The undersigned, on behalf of [NAME OF UNDERWRITER] ("Underwriter"), hereby certifies as set forth below with respect to the sale of the above-captioned obligations (the "Bonds").

1. ***Reasonably Expected Initial Offering Price.***

(a) As of the Sale Date, the reasonably expected initial offering prices of the Bonds to the Public by Underwriter are the prices listed in Schedule A (the "Expected Offering Prices"). The Expected Offering Prices are the prices for the Maturities of the Bonds used by Underwriter in formulating its bid to purchase the Bonds. Attached as Schedule B is a true and correct copy of the bid provided by Underwriter to purchase the Bonds.

(b) Underwriter was not given the opportunity to review other bids prior to submitting its bid.[2]

(c) The bid submitted by Underwriter constituted a firm offer to purchase the Bonds.

2. ***Defined Terms.***

(a) *Maturity* means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate Maturities.

(b) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

(c) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is [DATE].

(d) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents Underwriter's interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The

[2] Treas. Reg. §1.148-1(f)(3)(i)(B) requires that all bidders have an equal opportunity to bid to purchase bonds. If the bidding process affords an equal opportunity for bidders to review other bids prior to submitting their bids, then this representation should be modified to describe the bidding process.

undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Tax Certificate and with respect to compliance with the federal income tax rules affecting the Bonds, and by Jackson Kelly PLLC, Bond Counsel, in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Issuer from time to time relating to the Bonds.

[NAME OF UNDERWRITER]

By:_____

Name:_____

Dated: _____, 2021

SCHEDULE A

EXPECTED OFFERING PRICES

(*Attached*)

SCHEDULE B

COPY OF UNDERWRITER'S BID

(Attached)

EXHIBIT B

[Expected to be used in the event Competitive Sale Requirements are not met.]

ISSUE PRICE CERTIFICATE

$_____
STATE OF WEST VIRGINIA
GENERAL OBLIGATION STATE ROAD [REFUNDING] BONDS
SERIES 2021 [A][B]

The undersigned, on behalf of [NAME OF UNDERWRITER/REPRESENTATIVE] ("[SHORT NAME OF UNDERWRITER]")][the "Representative")][, on behalf of itself and [NAMES OF OTHER UNDERWRITERS] (together, the "Underwriting Group"),] hereby certifies as set forth below with respect to the sale and issuance of the above-captioned obligations (the "Bonds").

1. ***Sale of the General Rule Maturities.*** As of the date of this certificate, for each Maturity of the General Rule Maturities, the first price at which at least 10% of such Maturity was sold to the Public is the respective price listed in Schedule A, attached hereto.

2. ***Initial Offering Price of the Hold-the-Offering-Price Maturities.***

(a) [SHORT NAME OF UNDERWRITER][The Underwriting Group] offered the Hold-the-Offering-Price Maturities to the Public for purchase at the respective initial offering prices listed in Schedule A, attached hereto (the "Initial Offering Prices") on or before the Sale Date. A copy of the pricing wire or equivalent communication for the Bonds is attached to this certificate as Schedule B.

(b) As set forth in the Notice of Sale and bid award, [SHORT NAME OF UNDERWRITER][the members of the Underwriting Group] [has][have] agreed in writing that, (i) for each Maturity of the Hold-the-Offering-Price Maturities, [it][they] would neither offer nor sell any of the Bonds of such Maturity to any person at a price that is higher than the Initial Offering Price for such Maturity during the Holding Period for such Maturity (the "hold-the-offering-price rule"), and (ii) any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any retail distribution agreement shall contain the agreement of each broker-dealer who is a party to the retail distribution agreement, to comply with the hold-the-offering-price rule. Pursuant to such agreement, no Underwriter (as defined below) has offered or sold any Maturity of the Hold-the-Offering-Price Maturities at a price that is higher than the respective Initial Offering Price for that Maturity of the Bonds during the Holding Period.

3. **Defined Terms.**

(a) "State" means the State of West Virginia.

(b) "General Rule Maturities" means those Maturities of the Bonds listed in Schedule A hereto as the "General Rule Maturities."

(c) "Hold-the-Offering-Price Maturities" means those Maturities of the Bonds listed in Schedule A hereto as the "Hold-the-Offering-Price Maturities."

(d) "Holding Period" means, with respect to a Hold-the-Offering-Price Maturity, the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth business day after the Sale Date ([DATE]), or (ii) the date on which [SHORT NAME OF UNDERWRITER][the Underwriters] [has][have] sold at least 10% of such Hold-the-Offering-Price Maturity to the Public at prices that are no higher than the Initial Offering Price for such Hold-the-Offering-Price Maturity.

(e) "Maturity" means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

(f) "Public" means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

(g) "Sale Date" means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is [DATE].

(h) "Underwriter" means (i) any person that agrees pursuant to a written contract with the State (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents [NAME OF UNDERWRITING FIRM][the Representative's] interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the State with respect to certain of the representations set forth in the Certificate as to Tax Matters and Arbitrage and with respect to compliance with the federal income tax rules affecting the Bonds, and by Jackson Kelly PLLC, bond counsel, in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the State from time to time relating to the Bonds.

[NAME OF UNDERWRITER]

By:_____

Name:_____

Dated: _____, 2021

SCHEDULE A

SALE PRICES OF THE GENERAL RULE MATURITIES AND INITIAL OFFERING PRICES OF THE HOLD-THE-OFFERING-PRICE MATURITIES

(*Attached*)

SCHEDULE B

PRICING WIRE OR EQUIVALENT COMMUNICATION

(*Attached*)

STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

CHARLESTON

EXECUTIVE ORDER NO. 15-21

BY THE GOVERNOR

WHEREAS, the Legislature of the State of West Virginia (the "State") adopted House Concurrent Resolution No. 68 (the "Resolution") on the 6th day of April, 2021, in conjunction with the "Safe Roads Amendment of 1996" (Constitutional Amendment passed November 1996), chapter seventeen, article twenty-six (the "Bond Act") of the Code of West Virginia, One Thousand Nine Hundred Thirty-One, as amended (the "Code"), and chapter thirteen, article two-g of the Code (the "Refunding Act," and together with the Bond Act, the "Act"), all relating to authorizing the governor (the "Governor") to incur indebtedness during the fiscal year ending June 30, 2021 or the fiscal year ending June 30, 2022, not to exceed twenty-two million dollars ($22,000,000) to provide funds to currently refund all outstanding State of West Virginia General Obligation State Road Refunding Bonds, Series 2010 A, dated July 22, 2010, and issued in the aggregate principal amount of $35,135,000 (the "Bonds to be Refunded") (The Bonds to be Refunded are identified on Schedule I attached hereto); and

WHEREAS, the Bonds to be Refunded were issued pursuant to House Concurrent Resolution No. 197 (2010), in conjunction with the "Safe Roads Amendment of 1996" (Constitutional Amendment passed November 1996), and the Act; and

WHEREAS, the Bonds maturing on or after June 1, 2021, are subject to redemption at the option of the State, prior to maturity, on and after June 1, 2020, in whole or in part at any time at a redemption price of par, plus interest accrued to the date of redemption; and

WHEREAS, pursuant to Senate Concurrent Resolution No. 50 (2015), in conjunction with the "Safe Roads Amendment of 1996" (Constitutional Amendment passed November 1996), and the Act, the State previously issued its $133,710,000 General Obligation State Road Refunding Bonds, Series 2015 A (the "Prior Bonds") on April 28, 2015; and

WHEREAS, pursuant to the Resolution, it is necessary and desirable for the State to issue its General Obligation State Road Refunding Bonds, Series 2021 B (the "Bonds"); and

WHEREAS, the Bonds will be sold to the lowest true interest cost bidder (the "Bid Buyer") pursuant to a competitive bid scheduled to be opened on May 18, 2021 (the "Sale Date"); and

WHEREAS, the terms of the Bonds will be approved in a subsequent Executive Order entered by me, as Governor, and dated the Sale Date (the "Subsequent Order"); and

WHEREAS, the proceeds of the sale of the Bonds to the Bid Buyer (plus any original issue premium and less any original issue discount) shall be deposited into an irrevocable escrow deposit trust fund (the "Escrow Fund") created and established pursuant to an agreement (the "Escrow Agreement") between the State and United Bank, Charleston, West Virginia, as Escrow Agent ("Escrow Agent") and shall be used to purchase direct non-callable obligations of the United States of America or obligations the principal and interest of which are guaranteed by the United States of America, and to be applied to pay the interest coming due on and the principal of or redemption price of the Bonds to be Refunded; and

WHEREAS, certain action is required of me, as Governor, in order for the Bonds to be issued and sold.

NOW, THEREFORE, I, JIM JUSTICE, GOVERNOR, pursuant to and by the authority vested in me as the Chief Executive Officer of this State, do hereby **FIND, DETERMINE** and **ORDER** that:

Section 1. Findings. The issuance of the Bonds as herein below provided will enable the State to currently refund the Bonds to be Refunded, thereby effecting a savings in aggregate debt service for the State and is in the best interests of the people of, and business and industry in, the State.

Section 2. Issuance of the Bonds. The issuance of the Bonds on behalf of the State in the aggregate principal amount not to exceed $22,000,000 and dated the date of delivery is hereby authorized and approved. The Bonds shall be sold in one series and designated "State of West Virginia General Obligation State Road Refunding Bonds, Series 2021 B". The Bonds shall

be numbered BR-1 upward and shall be issued in denominations of $5,000 or any integral multiple thereof, in fully registered form and initially issued in book-entry form and registered to Cede & Co. as nominee for The Depository Trust Company ("DTC"). Interest on the Bonds is payable on each June 1 and December 1 (each an "Interest Payment Date"), commencing December 1, 2021. The respective interest rates per annum and the maturity schedule and provisions for payment or redemption for the Bonds shall be set forth and approved in the Subsequent Order. The Bonds shall finally mature as set forth in the Subsequent Order. The form of the Bonds shall be set forth as an attachment to the Subsequent Order, and approved thereby; the Bonds shall be executed by the manual or facsimile signature of the Treasurer and attested by the manual or facsimile signature of the Auditor, and the great seal of the State of West Virginia shall be impressed or imprinted thereon; and the Bonds shall be delivered to United Bank, as Co-Registrar and Authenticating Agent, Charleston, West Virginia (the "Co-Registrar"), for registration, authentication and delivery as provided herein. The validity of any Bond so executed shall not be affected by the fact that one or more of the officers whose signatures appear on such Bond have ceased to hold office at the time of issuance or authentication or at any time thereafter. The Resolution and the Act designate the Treasurer of the State as the Paying Agent, and he is hereby designated as the Registrar (the "Paying Agent" or the "Registrar").

Section 3. The Bonds. The Bonds shall contain a recital that they are issued pursuant to the Act and shall be secured by the pledge set forth in the Act. The Bonds are general obligations of the State and are payable as to principal and interest from the Safe Road Bond Debt Service Fund and as set forth in the Act. The Bonds and the interest thereon shall be deemed to be general obligations or debts of the State within the meaning of the constitution of the State, and the credit or taxing power of the State are pledged therefor.

Section 4. General Provisions Relating to the Bonds.

(A) Issuance of Bonds. Upon the execution of the Bonds, they shall be delivered to the Co-Registrar for authentication. The Co-Registrar shall authenticate and deliver the Bonds to or as directed by the Bid Buyer, upon receipt by the Co-Registrar of the following:

(a) a request and authorization by the State to the Co-Registrar to authenticate and deliver the Bonds to or as directed by the Bid Buyer identified in such request and authorization;

(b) evidence of delivery to the State Treasury and the Escrow Agent of immediately available funds in an amount equal to the sum specified in such request and authorization;

(c) a copy, certified by the Secretary of State, of this Order and the Subsequent Order; and

(d) a written opinion of Bond Counsel to the effect that: (i) the Bonds have been authorized, executed and delivered by the State, and are valid and binding general obligations of the State, enforceable in accordance with their terms (subject to such exceptions as are set forth in such opinion); and (ii) interest on the Bonds is excludable from gross income for federal income tax purposes (subject to such exceptions as are set forth in such opinion).

(B) Form of Bonds. All Bonds shall be issued as fully registered bonds dated the date of delivery. The Bonds shall be in substantially the form attached to the Subsequent Order.

(C) Authentication. No Bonds shall be valid for any purpose hereunder until the certificate of authentication printed thereon is duly executed by the manual signature of an authorized signatory of the Co-Registrar. Such authentication shall be proof that the registered owner named on each Bond (each a "Registered Owner") is entitled to the benefit of the trusts hereby created. In authenticating the Bonds, the Co-Registrar may add the actual date of its authentication of Bonds.

(D) Registration, Transfer and Exchange.

(a) The ownership of each Bond shall be recorded in the registration books of the State, which books shall be kept by the Registrar or Co-Registrar, acting as bond registrar, at its principal office, and shall contain such information as is necessary for the proper discharge of the duties of the Registrar and Co-Registrar hereunder.

(b) Bonds may be transferred or exchanged as follows:

(i) The transfer of any Bond may be registered if duly endorsed for such transfer or accompanied by an instrument of transfer in form satisfactory to the Registrar, duly executed by the Registered Owner or his attorney duly authorized

in writing and delivered by such Registered Owner or his duly appointed attorney to the Registrar, whereupon the Co-Registrar shall authenticate and deliver to the transferee a new Bond or Bonds and in the same denominations as the Bond delivered for registration of transfer or in different authorized denominations equal in the aggregate to the principal amount of the delivered Bond.

(ii) Any Bond or Bonds may be exchanged for one or more Bonds of the same series and in the same aggregate principal amount, but in a different authorized denomination or denominations if duly endorsed or accompanied by an instrument of transfer in form satisfactory to the Registrar, duly executed by the Registered Owner or his attorney duly authorized in writing. Each Bond so to be exchanged shall be delivered by the Registered Owner thereof or his duly appointed attorney to the Registrar, whereupon a new Bond or Bonds of the same series shall be authenticated by the Co-Registrar and delivered to the Registered Owner.

(iii) In the case of any Bond properly delivered for partial redemption, the Co-Registrar shall authenticate and deliver a new Bond of the same series in exchange therefor, such new Bond to be in a denomination equal to the unredeemed principal amount of the delivered Bond.

Except as provided in subparagraph (iii) above, the Registrar and Co-Registrar shall not be required to effect any transfer or exchange during the 15 days immediately preceding the date of mailing of any notice of redemption or at any time following the mailing of any such notice in the case of Bonds selected for such redemption ("Regular Redemption Date"). No charge shall be imposed upon Registered Owners in connection with any registration of transfer or exchange, except for taxes or governmental charges related thereto. No transfers or exchanges shall be valid for any purposes hereunder except as provided above or as provided in (J), below.

(E) Mutilated, Destroyed, Lost or Stolen Bonds.

(a) If any Bond is mutilated, lost, stolen or destroyed, the Registered Owner thereof shall be entitled to the issuance of a substitute Bond provided that:

(i) in all cases, the Registered Owner may be required by the State, or the Registrar or Co-Registrar to provide indemnity to the State and the Registrar or

Co-Registrar in a form acceptable to the Registrar or Co-Registrar against any and all claims arising out of or otherwise related to the issuance of substitute Bonds pursuant to this Section;

(ii) in the case of a mutilated Bond the Registered Owner shall deliver the Bond to the Registrar for cancellation; and

(iii) in the case of a lost, stolen or destroyed Bond, the Registered Owner shall provide evidence, satisfactory to the Registrar, of the ownership and the loss, theft or destruction of the affected Bond.

Upon compliance with the foregoing, a new Bond of like tenor and denomination, executed by the State, shall be authenticated by the Co-Registrar and delivered to the Registered Owner, all at the expense of the Registered Owner to whom the substitute Bond is delivered. Notwithstanding the foregoing, the Co-Registrar shall not be required to authenticate and deliver any substitute for a Bond which has been called for redemption or which has matured or is about to mature and, in any such case, the principal or redemption price then due and accrued interest thereon or becoming due shall be paid by the Registrar in accordance with the terms of the mutilated, lost, stolen or destroyed Bond without substitution therefor.

(b) Every substituted Bond issued pursuant to this Section shall constitute an additional contractual obligation of the State, whether or not the Bond alleged to have been destroyed, lost or stolen shall be at any time enforceable by anyone, and shall be entitled to all the benefits of this Order equally and proportionately with any and all other Bonds duly issued hereunder.

(c) All Bonds shall be held and owned upon the express condition that the foregoing provisions are exclusive with respect to the replacement or payment of mutilated, destroyed, lost or stolen Bonds, and shall preclude any and all other rights or remedies, unless expressly inconsistent with any law or statute existing or hereafter enacted with respect to the replacement or payment of negotiable instruments, investments or other securities without their delivery.

(F) Payments of Principal, Redemption Price and Interest; Persons Entitled Thereto.

(a) Except as provided in (J) below, the principal or redemption price of each Bond shall be payable by the Paying Agent in immediately available funds upon delivery of such Bond to the Registrar at its principal office. Such payments shall be made to the Registered Owner of the Bond so delivered, as shown on the registration books maintained by the Registrar or Co-Registrar on the date of payment.

(b) Subject to the further provisions set forth herein, each Bond shall accrue interest and be payable as to interest as follows:

(i) Each Bond shall accrue interest (A) from the date of authentication, if authenticated on an interest payment date to which interest has been paid or duly provided for, or (B) from the last preceding interest payment date to which interest has been paid in full or duly provided for (or the issue date if no interest thereon has been paid or duly provided for) in all other cases.

(ii) Subject to the provisions of subparagraph (iii) below, the interest due on any Bond on any interest payment date shall be paid to the Registered Owner of such Bond as shown on the registration books kept by the Registrar or Co-Registrar as of the fifteenth (15th) day of the month preceding any interest payment date (the "Regular Record Date"), regardless of whether such date is a Saturday, Sunday or legal holiday. The amount of interest so payable on any interest payment date shall be computed on the basis of a 360-day year composed of twelve 30-day months.

(iii) If the available funds under this Order are insufficient on any interest payment date to pay the interest then due, such available funds shall be used to pay interest on each series of Bonds and the Prior Bonds on a pro rata basis, and the Regular Record Date shall no longer be applicable with respect to the Bonds. If funds for the payment of such overdue interest thereafter become available, the Registrar shall promptly establish a special interest payment date for the payment of the overdue interest and a special record date (which shall be a Business Day) for determining the Registered Owners entitled to such payments ("Special Record Date"). Notice of such Special Record Date shall be mailed by the Registrar or Co-Registrar to each Registered Owner not less than 10 days prior to such Special Record Date, but not more than 30 days prior to such Special Record Date. The overdue interest shall be paid on the special interest payment date to the Registered Owners, as shown on the registration books kept by the Registrar or Co-Registrar as of the close of business on the Special Record Date.

(iv) All payments of interest on the Bonds shall be paid to the Registered Owners entitled thereto by check or draft mailed by the Paying Agent, or, at the option of any Registered Owner of at least $1,000,000 in aggregate principal amount of Bonds, by wire transfer in immediately available funds to a domestic bank account specified in writing by the Registered Owner to the Paying Agent at least 5 days prior to such Record Date.

(G) Cancellation and Disposition of Surrendered Bonds. The Registrar shall cancel (a) all Bonds surrendered for registration of transfer or exchange and for payment at maturity or for redemption, and (b) all Bonds purchased at the direction of the State and surrendered to the Registrar for cancellation, and the Registrar shall dispose of such Bonds in accordance with the Registrar's document retention policies. The Registrar shall deliver to the State a certificate of cancellation or disposition in respect of all Bonds cancelled or disposed of in accordance with this Section.

(H) Act of Registered Owners; Evidence of Ownership. Any action to be taken by Registered Owners may be evidenced by one or more concurrent written instruments of similar tenor signed or executed by such Registered Owners in person or by an agent appointed in writing. The fact and date of the execution by any person of any such instrument may be proved by acknowledgment before a notary public or other officer empowered to take acknowledgments or by an affidavit of a witness to such execution or by any other method satisfactory to the Registrar. Any action by the Registered Owner of any Bond shall bind all future Registered Owners of the same Bond or of any Bond issued upon the exchange or registration of transfer thereof in respect of anything done or suffered by the State or the Registrar or Co-Registrar in pursuance thereof.

(I) Book Entry System.

(a) DTC will act as securities depository (the "Securities Depository") for the Bonds. The Bonds shall be initially issued in the form of a single fully registered Bond for

each maturity registered in the name of Cede & Co., as nominee for DTC. So long as Cede & Co. is the Registered Owner of the Bonds, as nominee of DTC, references herein to Registered Owners, Bondholders or holders of the Bonds shall mean Cede & Co. and shall not mean the beneficial owners of the Bonds.

(b) The interest of each of the beneficial owners of the Bonds will be recorded through the records of a DTC Participant. Transfers of beneficial ownership interests in the Bonds which are registered in the name of Cede & Co. will be accompanied by book entries made by DTC and, in turn, by the DTC Participants who act on behalf of the beneficial owners of the Bonds.

(c) With respect to Bonds registered in the name of Cede & Co. as nominee of DTC, the State, the Registrar and the Co-Registrar shall have no responsibility or obligation to any DTC Participant or to any person on behalf of whom a DTC Participant holds an interest in the Bonds, except as provided in this Order. Without limiting the immediately preceding sentence, the State, the Registrar and the Co-Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of the DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than a Registered Owner, as shown on the registration books of the State maintained by the Registrar or the Co-Registrar, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than a Registered Owner, as shown in the registration books of any amount with respect to principal and interest on the Bonds.

(d) Notwithstanding any other provisions of this Order to the contrary, the State, the Registrar, and the Co-Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the registration books as the absolute owner of such Bond for the purpose of payment of principal and interest with respect to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent shall pay all principal and interest on the Bonds only to or upon the order of the respective Registered Owners, as shown in the registration

books as provided in this Order, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the State's obligations with respect to payment of principal and interest on the Bonds to the extent of the sum or sums so paid.

(e) No person other than a Registered Owner, as shown in the registration books, shall receive a Bond certificate evidencing the obligation of the State to make payments of principal, premium, if any, and interest, pursuant to this Order.

(f) Any provision of this Order permitting or requiring the delivery of Bonds shall, while the book-entry system is in effect, be satisfied by the notation on the books of DTC or a DTC Participant, if applicable, of the transfer of the beneficial owner's interest in such Bond.

(g) So long as the book-entry system is in effect, the Registrar and the Co-Registrar shall comply with the terms of the Letter of Representations and the procedures of DTC.

(h) DTC may determine to discontinue providing its service with respect to the Bonds at any time by giving written notice and all relevant information on the beneficial owners of the Bonds to the State, the Registrar and the Co-Registrar and discharging its responsibilities with respect thereto under applicable law. If there is no successor Securities Depository appointed by the State, the Co-Registrar shall authenticate and deliver Bonds to the beneficial owners thereof. The State may determine not to continue participation in the system of book-entry transfers through DTC (or a successor Securities Depository) at any time by giving reasonable written notice to DTC (or a successor Securities Depository), the Registrar and the Co-Registrar. In such event, the State shall execute and deliver to the Co-Registrar, and the Co-Registrar shall authenticate and deliver, the Bonds to the beneficial owners thereof identified by DTC.

(i) Payments by the DTC Participants to beneficial owners will be governed by standing instructions and customary practices, as is now the case with municipal securities held for the accounts of customers in bearer form or registered in "street name," and will be the responsibility of such DTC Participant and not of DTC, the Registrar, the Co-

Registrar or the State, subject to any statutory and regulatory requirements as may be in effect from time to time.

(J) Redemption. The Bonds shall be subject to redemption prior to maturity as set forth in the Subsequent Order. Redemption shall be made at such times as the State shall, not later than 45 days prior to the date on which any Bond may be optionally redeemed, designate in a Certificate delivered to the Registrar.

(a) Selection of Bonds To Be Redeemed. In the event of redemption of less than all of the outstanding Bonds of like series and maturity, the Registrar or Co-Registrar, as applicable, or DTC (or other Securities Depository) and its Participants with respect to Book-Entry Bonds, shall select the Bonds to be redeemed by lot, using such method of selection as it shall deem proper in its discretion. In making such selection the Registrar or Co-Registrar, as applicable, or DTC shall treat each Bond as representing that number of Bonds of the lowest authorized denomination as is obtained by dividing the principal amount of such Bond by such denomination.

(b) Notice of Redemption; Conditional Redemption. When the Registrar or Co-Registrar, as applicable, shall receive notice from the State of its election or direction to redeem Bonds, the Registrar or Co-Registrar, as applicable, shall give notice, in the name of the State, of the redemption of such Bonds. Notice of any such redemption shall be given by the Registrar or Co-Registrar, as applicable, in accordance with the directions and requirements of DTC, and by mailing a copy of the redemption notice by first class mail (postage prepaid) or electronic means at least 30 days and not more than 60 days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed in whole or in part at the address shown on the Bond Register. Failure to give such notice by mailing to any owner, or any defect therein, shall not affect the validity of any proceedings for the redemption of Bonds with respect to Bonds or portions thereof for which no failure has occurred.

The redemption notice may state that (i) it is conditioned upon the deposit of moneys by the State, in an amount equal to the amount necessary to effect the redemption, with the Registrar no later than the scheduled redemption date or (ii) the State retains the right to rescind such notice on or prior to the scheduled redemption date (in either case, a

"Conditional Redemption"), and such notice and redemption shall be of no effect if such moneys are not so deposited or if the notice is rescinded as described in this subsection (b). In the case of a Conditional Redemption subject to the deposit of moneys, the failure of the State to make funds available in part or in whole on or before the scheduled redemption date shall not constitute a default in payment of the Bonds and any Bonds subject to such Conditional Redemption shall remain outstanding. Any Conditional Redemption subject to rescission may be rescinded in whole or in part at any time on or prior to the scheduled redemption date if the State instructs the Registrar in writing to rescind the redemption notice. Any Bonds subject to Conditional Redemption where redemption has been rescinded shall remain outstanding, and the rescission shall not constitute a default in payment of the Bonds.

All notices of redemption shall be dated and shall state (i) the redemption date; (ii) the redemption price; (iii) the identifying number and CUSIP number (and in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed; (iv) the date of issuance of the Bonds; (v) the interest rate or rates and maturity date or dates of the Bonds to be redeemed; (vi) that on the redemption date the redemption price will become due and payable on each such Bond and interest thereon will cease to accrue thereon from and after said date; (vii) the agent name, contact person and address where such Bonds are to be surrendered for payment; and (viii) any other descriptive information that, in the opinion of the Registrar, is needed to identify accurately the Bonds being redeemed.

Any notice mailed as provided in this Section shall be conclusively presumed to have been duly given, whether or not the owner of such Bonds receives the notice.

(c) Partial Redemption of Bonds. Upon surrender of any Bond for redemption in part only, the State shall execute, and the Co-Registrar shall register, authenticate and deliver to the owner thereof, a new Bond or Bonds of authorized denominations in an aggregate principal amount equal to the unredeemed portion of the Bond surrendered.

The State and the Registrar may agree with DTC that DTC may, in lieu of surrendering a partially redeemed Bond for a new Bond, endorse on such Bond a notice of such partial redemption, which notice shall set forth, over the signature on behalf of DTC, the payment date, the principal amount redeemed and the principal amount remaining unpaid. Such partial

redemption shall be valid upon payment of the amount thereof to the owner of any such Bond and the State and the Registrar shall be fully released and discharged from all liability to the extent of such payment irrespective of whether such endorsement shall or shall not have been made upon the reverse of such Bond by DTC and irrespective of any error or omission in such endorsement.

(d) Effect of Call for Redemption. On the date designated for redemption by notice given as herein provided, the Bonds so called for redemption shall become and be due and payable at the redemption price provided for on such date. If on the date fixed for redemption moneys for payment of the redemption price and accrued interest are held by the Paying Agent, interest on such Bonds so called for redemption shall cease to accrue, such Bonds shall cease to be entitled to any benefit or security hereunder except the right to receive payment from the moneys held by the Paying Agent and the amount of such Bonds so called for redemption shall be deemed paid and no longer outstanding.

Section 5. Competitive Sale of Bonds. The Notice of Sale (the "Notice of Sale") with respect to the Bonds attached hereto as Exhibit A and made a part of this Executive Order as though set forth in full herein, and the publication of the summary thereof is hereby approved, with such supplements, changes, insertions and omissions as shall be consistent with the Act. The Bonds shall be sold by competitive sale, pursuant to the Notice of Sale, at a price of 100% of the principal amount thereof or at such other price as may be awarded through and as a result of such competitive sale process, upon the advice of Public Resources Advisory Group, as the Financial Advisor (the "Financial Advisor"), which shall be approved and confirmed by me, as Governor, by execution of the Subsequent Order. Execution of the Subsequent Order by me, as Governor, shall be conclusive evidence of my approval and confirmation of the sale of the Bonds.

Section 6. Official Statement. The Preliminary Official Statement dated May 10, 2021, and the distribution of such Preliminary Official Statement is hereby ratified, confirmed and approved. The final Official Statement of the State (the "Official Statement"), to be dated the date of the sale of the Bonds, shall be approved by the Subsequent Order. As Governor, I shall execute and deliver an appropriate number of copies of such Official Statement for distribution to prospective purchasers thereof and other interested persons.

Section 7. Disclosure Dissemination Agent Agreement. The Disclosure Dissemination Agent Agreement (the "Disclosure Agreement") between the State and Digital Assurance Certification, L.L.C., to be dated as of the date of closing, is hereby approved.

Section 8. Closing Date. As Governor, I shall, and other proper officers of the State are hereby authorized and directed to, execute and deliver any and all papers and instruments and to do and cause to be done any and all action and things necessary or proper for carrying out the transactions contemplated by this Order, including but not limited to, the execution of the Disclosure Agreement, on or about June 3, 2021.

Section 9. Use of Bond Proceeds. The proceeds of the Bonds (plus any original issue premium and less any original issue discount) are hereby ordered to be deposited in the Escrow Fund and shall be used to purchase direct non-callable obligations of the United States of America or obligations the principal and interest of which ae guaranteed by the United States of America to pay the interest coming due on and the principal or redemption price of the Bonds to be Refunded on the date set for redemption in a certification provided by the State to the Escrow Agent and registrar of the Bonds to be Refunded. The accrued interest shall be deposited in the Safe Roads Bond Debt Service Fund created in the Treasury by the Bond Act and applied to the next ensuing interest payment.

Section 10. Payment of Bonds. The accumulation of money to make the principal and interest payments on the Bonds shall be as follows:

A. On or before June 3, 2021, the Division of Highways (the "Division"), West Virginia Department of Transportation, will transfer to the Safe Road Bond Debt Service Fund created in the Treasury, the funds required for payment of all necessary and reasonable expenses incident to the issuance of the Bonds, as further described in Section 11 below.

B. On or before July 15, 2021, and on or before the fifteenth day of each month thereafter to and including March 15, 2022, the Division will transfer to the Safe Road Bond Debt Service Fund one-fourth (1/10) of the amount certified by the Commissioner of Highways as the principal and interest requirement on the Bonds for the fiscal year ending June 30, 2022.

C. On or about April 1, 2022, and each April 1 thereafter to and including April 1, 2023, the Division shall determine the amount of investment earnings generated by and held in the Safe Road Bond Debt Service Fund.

D. On or before April 15, 2022, and each April 15 thereafter to and including April 15, 2023, the Division shall transfer to the Safe Road Bond Debt Service Fund the difference between the one-tenth (1/10) payment requirement described below and the investment earnings.

E. Commencing on or before July 15, 2022, and commencing on or before the fifteenth day of each July to and including April 15, 2023, the Division shall make the ten monthly transfers and determinations as set forth in Paragraphs B, C and D above, with each April 15th payment being the difference between the remaining one-tenth (1/10) of the debt service requirement and the then accumulated investment earnings held in the Safe Road Bond Debt Service Fund.

G. The moneys in the Safe Road Bond Debt Service Fund shall be applied each June 1 and December 1 to the payment of principal of and interest on the Bonds.

Section 11. Cost of Issuance. Pursuant to the Act, all necessary and reasonable expenses incident to the issuance of the Bonds, including, but not limited to, mailing and delivery of the Bonds, the Official Statement, any amendment or supplement to the Official Statement, including the mailing and delivery thereof by the printer, fees and expenses of the Bid Buyer, fees and expenses of Bond Counsel, fees and expenses of Disclosure Counsel, fees and expenses of the Financial Advisor, any fee charged by rating agencies for the rating of the Bonds, fees and expenses of the Co-Registrar, fees and expenses of the Escrow Agent, and any other cost, charge or fee incurred in the issuance of the Bonds, shall be paid out of the Safe Road Bond Debt Service Fund, being a special account in the State treasury.

Section 12. Effective Date. This Order shall take effect on the date hereof.

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IN WITNESS WHEREOF, We have hereunto set our hands and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol in the City of Charleston, State of West Virginia, this Seventh day of May, in the year of our Lord, Two Thousand Twenty-One in the One Hundred Fifty-Eighth year of the State.

GOVERNOR

By the Governor

SECRETARY OF STATE

SCHEDULE I

BONDS TO BE REFUNDED

Series	Maturity Date (June 1)	Principal Amount	Interest Rate	Call Price	CUSIP
2010 A	2022	$7,300,000	4.000%	100%	956553VM0
2010 A	2023	$7,590,000	4.000%	100%	956553VN8

EXHIBIT A

Notice of Sale

[Attached]

NOTICE OF SALE

STATE OF WEST VIRGINIA

**$200,000,000*
GENERAL OBLIGATION STATE ROAD BONDS
SERIES 2021 A**

AND

**$14,265,000*
GENERAL OBLIGATION STATE ROAD REFUNDING BONDS
SERIES 2021 B**

BONDS DATED: DATE OF DELIVERY

SERIES 2021 A BONDS: ELECTRONIC BIDS ONLY RECEIVED UNTIL 10:15 A.M. (EASTERN DAYLIGHT TIME)

SERIES 2021 B BONDS: ELECTRONIC BIDS ONLY RECEIVED UNTIL 10:45 A.M. (EASTERN DAYLIGHT TIME)

TUESDAY, MAY 18, 2021*

* Preliminary; subject to change.

NOTICE OF SALE

STATE OF WEST VIRGINIA

**$200,000,000*
GENERAL OBLIGATION STATE ROAD BONDS
SERIES 2021 A**

**$14,265,000*
GENERAL OBLIGATION STATE ROAD REFUNDING BONDS
SERIES 2021 B**

Electronic bids for the purchase of all, and not less than all of the principal amount of $200,000,000* State of West Virginia General Obligation State Road Bonds, Series 2021 A (the "Series 2021 A Bonds"), and $14,265,000* State of West Virginia General Obligation State Road Refunding Bonds, Series 2021 B (the "Series 2021 B Bonds", and together with the Series 2021 A Bonds the "Bonds") will be received by the State of West Virginia (the "State") on Tuesday, May 18, 2021 or on such other date and time as the State shall determine consistent with terms of this Notice of Sale ("Date of Sale") at the times and in the manner described below:

Until 10:15 a.m. (Eastern Daylight Time) -- Series 2021 A Bonds

Until 10:45 a.m. (Eastern Daylight Time) -- Series 2021 B Bonds

In each case, subject to postponement or cancellation in accordance with the terms of the Notice of Sale. See "Right to Change the Official Notice of Sale and to Postpone or Cancel Offering" below.

Capitalized terms not defined herein shall have the meanings ascribed to them in the Preliminary Official Statement dated the date hereof.

State law requires that all costs of issuance, including underwriters' discount, be paid by the State. ***Accordingly, the successful bidder for each series of Bonds (together, the "Successful Bidders") will be required to wire the gross purchase price for the respective series of Bonds to the State at closing and will in return receive its underwriters' discount from the State via wire transfer. The underwriters' discount shall not exceed $5.00 per $1,000 of par amount of the applicable series of Bonds.***

Description of the Bonds

The Bonds will be issued only as fully registered bonds in book-entry form. The Bonds will be dated the date of their delivery and will be issued in denominations of $5,000 or any integral multiple thereof. Interest on the Bonds will be payable semiannually on June 1 and December 1, commencing December 1, 2021. Interest on the Bonds will be calculated on a 30/360 day basis. The Series 2021 A Bonds will mature semiannually and become due and payable beginning June 1, 2024, and on each June 1 and December 1 thereafter through final maturity of the Bonds as set forth below. The Series 2021 B Bonds will mature semiannually and become due and payable beginning December 1, 2021, and on each June 1 and December 1 thereafter through final maturity of the Bonds as set forth below.

Series 2021 A Bonds

Aggregate Principal Amount: $200,000,000*

Principal with respect to Series 2021 A Bonds will mature and sinking fund installments with respect to the Series 2021 A Bonds to be issued as term bonds, if any, will be paid on June 1 and December 1 in each of the years and in the principal amounts shown below:

* Preliminary; subject to change.

Series 2021 A Bonds			
Date of Maturity	Amount ($)*	Date of Maturity	Amount ($)*
06/01/2024	$2,455,000	12/01/2035	$4,330,000
12/01/2024	2,515,000	06/01/2036	4,440,000
06/01/2025	2,580,000	12/01/2036	4,550,000
12/01/2025	2,640,000	06/01/2037	4,665,000
06/01/2026	2,710,000	12/01/2037	4,780,000
12/01/2026	2,775,000	06/01/2038	4,900,000
06/01/2027	2,845,000	12/01/2038	5,020,000
12/01/2027	2,915,000	06/01/2039	5,145,000
06/01/2028	2,990,000	12/01/2039	5,275,000
12/01/2028	3,065,000	06/01/2040	5,405,000
06/01/2029	3,140,000	12/01/2040	5,540,000
12/01/2029	3,220,000	06/01/2041	5,680,000
06/01/2030	3,300,000	12/01/2041	5,825,000
12/01/2030	3,380,000	06/01/2042	5,970,000
06/01/2031	3,465,000	12/01/2042	6,115,000
12/01/2031	3,555,000	06/01/2043	6,270,000
06/01/2032	3,640,000	12/01/2043	6,425,000
12/01/2032	3,735,000	06/01/2044	6,590,000
06/01/2033	3,825,000	12/01/2044	6,755,000
12/01/2033	3,920,000	06/01/2045	6,920,000
06/01/2034	4,020,000	12/01/2045	7,095,000
12/01/2034	4,120,000	06/01/2046	7,270,000
06/01/2035	4,225,000		

* Preliminary, subject to change.

Series 2021 B Bonds

Aggregate Principal Amount: $14,265,000*

Principal with respect to the Series 2021 B Bonds will be paid on June 1 and December 1 in each of the years and in the amounts set forth in the table that follows. No term bonds are permitted for Series 2021 B Bonds.

Series 2021 B Bonds	
Date of Maturity	Amount ($)*
12/01/21	$3,500,000
06/01/22	3,495,000
12/01/22	3,635,000
06/01/23	3,635,000

* Preliminary, subject to change.

Authorization and Security

Series 2021 A Bonds

The Series 2021 A Bonds are issued under and pursuant to the Roads to Prosperity Amendment of 2017 (Article VI, Section 52 of the Constitution), House Concurrent Resolution No. 105, Chapter 17, Article 26A of the Code of West Virginia, 1931, as amended (the "RTP Bond Act"), and two executive orders of the Governor of the State, the first dated May 7, 2021 and the second to be dated the Date of Sale, respectively.

The Series 2021 A Bonds will be general obligations of the State, and the full faith and credit of the State will be irrevocably pledged to the punctual payment of the principal of and interest on the Series 2021 A Bonds as the same become due. As more fully described in the Preliminary Official Statement, in each year while the Series 2021 A Bonds, or any of them, remain outstanding and unpaid, the State covenants as follows: (1) that the Series 2021 A Bonds shall constitute a direct and general obligation of the State; (2) that the full faith and credit of the State is pledged to secure the payment of the principal and interest of the Series 2021 A Bonds; (3) that an annual state tax shall be collected in an amount sufficient to pay, as it may accrue, the interest on the Series 2021 A Bonds and the principal thereof; and (4) that the tax shall be levied in any year only to the extent that the moneys transferred to the Roads to Prosperity Bond Debt Service Fund as provided in Sections 3 and 4 of the RTP Bond Act, which are irrevocably set aside and appropriated for and applied to the payment of the interest on and principal of the Series 2021 A Bonds becoming due and payable in such year, are insufficient therefor.

Series 2021 B Bonds

The Series 2021 B Bonds are issued under and pursuant to the Safe Roads Amendment of 1996 (Article VI, Section 52 of the Constitution), House Concurrent Resolution No. 68, Chapter 17, Article 26 of the Code of West Virginia, 1931, as amended (the "SR Bond Act"), Chapter 13, Article 2G of the Code of West Virginia, 1931, as amended, and two executive orders of the Governor of the State, the first dated May 7, 2021 and the second to be dated the Date of Sale, respectively.

The Series 2021 B Bonds will be general obligations of the State, and the full faith and credit of the State will be irrevocably pledged to the punctual payment of the principal of and interest on the Series 2021 B Bonds as the same become due. As more fully described in the Preliminary Official Statement, in each year while the Series 2021 B Bonds, or any of them, remain outstanding and unpaid, the State covenants as follows: (1) that the Series 2021 B Bonds shall constitute a direct and general obligation of the State; (2) that the full faith and credit of the State is pledged to secure the payment of the principal and interest of the Series 2021 B Bonds; (3) that an annual state tax shall be collected in an amount sufficient to pay, as it may accrue, the interest on the Series 2021 B Bonds and the principal thereof; and (4) that the tax shall be levied in any year only to the extent that the moneys transferred to the Safe Road Bond Debt Service Fund as provided in Sections 3 and 4 of the SR Bond Act, which are irrevocably set aside and appropriated for and applied to the payment of the interest on and principal of the Series 2021 B Bonds becoming due and payable in such year, are insufficient therefor.

Optional Redemption

Series 2021 A Bonds

The Series 2021 A Bonds maturing on or after December 1, 2031, are subject to optional redemption at the option of the State, prior to maturity, on or after June 1, 2031, in whole or in part at any time from amounts deposited with the Paying Agent by the State and from other funds available therefor at a redemption price of par, plus accrued interest to the date fixed for redemption. Redemption shall be made at such times as the State shall, not later than 45 days prior to the date on which any Series 2021 A Bond may be optionally redeemed, designate in a certificate delivered to the Registrar.

Series 2021 B Bonds

The Series 2021 B Bonds are not subject to optional redemption.

Notice of Redemption

If any of the Bonds (or any portion of the principal amount thereof in installments of $5,000) shall be called for redemption, notice of the redemption thereof, specifying the date, number and maturity of such Bond, the date and place or places fixed for its redemption, that such Bond must be surrendered in exchange for the principal amount thereof to be redeemed and a new Bond or Bonds issued equaling in principal amount that portion of the principal amount thereof not to be redeemed, shall be provided in accordance with the directions of DTC, and mailed not less than thirty (30) days prior to the date fixed for redemption, by first class mail, postage prepaid, or electronic means to the registered owner of such Bond at his address as it appears on the books of registry kept by the Registrar and Paying Agent for the Bonds as of the close of business on the forty-fifth (45th) day next preceding the date fixed for redemption. If notice of the redemption of any Bond (or portion thereof in installments of $5,000) shall have been given as aforesaid, and payment of the principal amount of such Bond (or the portion of the principal amount thereof to be redeemed) and of the accrued interest payable upon such redemption shall have been duly made or provided for, interest thereon shall cease to accrue from and after the date so specified for the redemption thereof.

So long as the Bonds are in book-entry only form, any notice of redemption shall be given only to DTC or to its nominee. The State shall not be responsible for providing any beneficial owner of the Bonds any notice of redemption.

Serial Bonds, Term Bonds and Mandatory Sinking Fund Redemption

Bidders for the Series 2021 A Bonds may provide for all of the Series 2021 A Bonds to be issued as serial bonds or may designate consecutive semi-annual principal amounts of the Series 2021 A Bonds to be combined into term bonds; provided, that bidders may not provide for more than two term bonds. Each such term bond shall be subject to mandatory sinking fund redemption commencing on either June 1 or December 1 of the first year which has been combined to form such term bond and continuing on June 1 and December 1 in each year thereafter until the stated maturity date of that term bond. The amount redeemed in any year shall be equal to the principal amount for such semi-annual period as set forth in the amortization schedule above. Series 2021 A Bonds to be redeemed in any year by mandatory sinking fund redemption shall be redeemed at par and shall be selected by lot from among the Series 2021 A Bonds of the maturity being redeemed.

Bidders for the Series 2021 B Bonds shall provide for all of the Series 2021 B Bonds to be issued as serial bonds.

Book-Entry Only System

The Bonds will be issued as fully-registered bonds in the name of Cede & Co., as nominee of DTC. DTC will act as securities depository for the Bonds. One fully-registered Bond will be issued for each maturity, and will be deposited with the DTC.

Purchases of the Bonds will be made only in book-entry form through DTC Participants in the principal amount of $5,000 and integral multiples thereof and no physical delivery of the Bonds will be made to purchasers. Unless otherwise provided herein, payments of the principal, interest and premium, if any, will be made to purchasers by DTC through its Participants.

Transfer of principal and interest payments to beneficial owners will be the responsibility of DTC and such participants and other nominees of the beneficial owners. The State will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

DTC may discontinue providing its services as securities depository with respect to the Bonds at any time by giving reasonable notice to the State. Under such circumstances, in the event that a successor securities depository is not obtained, Bond certificates are required to be prepared, executed and delivered.

The State may decide to discontinue use of the system of book-entry transfers through DTC (or a successor securities depository). In that case, either a successor depository will be selected by the State or Bond certificates will be prepared, executed and delivered.

Reference is made to the Preliminary Official Statement for the applicable provisions relating to the transfer of beneficial ownership, manner of redemption, the responsibilities of DTC participants and the right of the State to discontinue the book-entry-only system.

Bid Submission

Electronic bids via the Bidcomp™/PARITY® Competitive Bidding System (the "Competitive Bidding System") for the Series 2021 A Bonds will be accepted until 10:15 a.m., Eastern Daylight Time, on the Date of Sale, in accordance with this Notice of Sale.

Electronic bids via the Competitive Bidding System for the Series 2021 B Bonds will be accepted until 10:45 a.m., Eastern Daylight Time, on the Date of Sale, in accordance with this Notice of Sale.

The State is using the Competitive Bidding System as a communication mechanism to conduct the electronic bidding for the sale of the Bonds, as described herein. To the extent any instructions or directions set forth in the Competitive Bidding System conflict with this Notice of Sale, the terms of this Notice of Sale shall control. Each bidder submitting an electronic bid agrees (i) that it is solely responsible for all arrangements with the Competitive Bidding System, (ii) that the Competitive Bidding System is not acting as the agent of the State, and (iii) that the State is not responsible for ensuring or verifying bidder compliance with any of the procedures of the Competitive Bidding System. The State assumes no responsibility for, and each bidder expressly assumes the risks of and responsibility for, any incomplete, inaccurate or untimely bid submitted by such bidder through the Competitive Bidding System. Each bidder shall be solely responsible for making necessary arrangements to access the Competitive Bidding System for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the State nor the Competitive Bidding System shall have any duty or obligation to provide or assure such access to any bidder, and neither the State nor the Competitive Bidding System shall be responsible for proper operation of, or have any liability for, any delays or interruptions of, or any damages caused by, the Competitive Bidding System. For further information about the Competitive Bidding System, potential bidders may contact Bidcomp™/PARITY®, 1359 Broadway, 2nd Floor, New York, New York 10018, telephone (212) 849-5021.

Each bid must be unconditional. No bids will be accepted in written form, by facsimile transmission or in any other medium or on any system other than by means of the Competitive Bidding System.

Bidding Rules and Revisions to Bidding Rules

Series 2021 A Bonds: Bidders may only bid to purchase all of the Series 2021 A Bonds. All bids must be unconditional. No bid for less than 100% of the par value of the aggregate principal amount of the Series 2021 A Bonds shall be considered. Bidders are invited to name the rate of interest per annum that the Series 2021 A Bonds are to bear in multiples of one-twentieth (1/20th) or one-eighth (1/8th) of one percent. The rate of interest stated for all maturities must be 5.0% per annum. No more than two term bonds are permitted for bids submitted for the Series 2021 A Bonds. Term bonds must consist of semiannual consecutive maturities with like rates.

Series 2021 B Bonds: Bidders may only bid to purchase all of the Series 2021 B Bonds. All bids must be unconditional. No bid for less than 100% of the par value of the aggregate principal amount of the Series 2021 B Bonds shall be considered. Bidders are invited to name the rate of interest per annum that the Series 2021 B Bonds are to bear in multiples of one-twentieth (1/20th) or one-eighth (1/8th) of one percent. Any number of rates may be named, provided that for (a) the lowest rate of interest stated for any maturity may not be less than 1.0% per annum, (b) the highest rate of interest stated for any maturity may not exceed 5.0% per annum. No term bonds are permitted for bids submitted for the Series 2021 B Bonds.

All bids will remain firm for a period of no less than five hours after the time specified for the opening of bids. An award of each series of the Bonds, if made, will be made by the State within such five-hour period or, with the express consent of the bidders, such longer time period as deemed necessary.

THE BIDDING RULES SET FORTH IN THIS SECTION MAY BE REVISED BEFORE RECEIPT OF ELECTRONIC BIDS FOR PURCHASE OF EACH SERIES OF THE BONDS. ANY REVISIONS TO THE BIDDING RULES WILL BE INCLUDED AS A SUPPLEMENT TO THE NOTICE OF SALE AND POSTED ON IMAGEMASTER, LLC MUNIOS.COM ("MUNIOS.COM") (munios.com) NO LATER THAN 10:00 A.M. (EASTERN DAYLIGHT TIME) ON THE DATE OF SALE.

Adjustments to Principal Amount, Call Date and Closing Date

The aggregate principal amount of the Series 2021 A Bonds of $200,000,000[1] and the Series 2021 B Bonds of $14,265,000[1] and the principal amount of each semiannual maturity of the Bonds as set forth in this Notice of Sale (the "Preliminary Aggregate Principal Amount" and the "Preliminary Principal Amount" of each semiannual maturity, respectively, and collectively, the "Preliminary Principal Amounts") may be revised before and after the receipt of electronic bids for their purchase. ANY REVISIONS TO THE PRINCIPAL AMOUNTS (the "Adjusted Aggregate Principal Amount" and the "Adjusted Principal Amount" of each semiannual maturity, respectively, and collectively, the "Adjusted Amounts") made prior to the receipt of electronic bids WILL BE INCLUDED AS A SUPPLEMENT TO THE NOTICE OF SALE AND POSTED ON MUNIOS.COM NO LATER THAN 10:00 A.M. (EASTERN DAYLIGHT TIME) ON THE ANNOUNCED DATE FOR RECEIPT OF BIDS. In the event that no such revisions are made, the Preliminary Amounts will constitute the Adjusted Amounts. Bidders shall submit bids on the Adjusted Amounts, and the Adjusted Amounts will be used to compare bids and select a winning bidder.

As promptly as reasonably possible after the bids are received, the State will notify the bidders to whom the Series 2021 A Bonds and the Series 2021 B Bonds, respectively, will be awarded, if and when such award is made, and each such bidder, upon such notice, shall advise the State of the initial public offering prices of each maturity of the Bonds (the "Initial Reoffering Prices") as described below under "Undertakings of the Successful Bidders." The Initial Reoffering Prices of the Bonds will be used to calculate the final maturity schedule and the final aggregate principal amount of each series of the Bonds (the "Final Amounts"). In determining the Final Amounts, the State will not reduce or increase the revised aggregate principal amount by more than 25% from the amount bid upon. The dollar amount bid by the successful bidder of each series will be adjusted as necessary to reflect any increase or decrease in the aggregate principal amount of the applicable series of the Bonds. Such adjusted bid price will reflect changes in the dollar amount of the underwriters' discount and original issue premium/discount, if any, but will not change such successful bidder's compensation per $1,000 of par amount of the applicable series of Bonds from the selling compensation that would have been received based on the purchase price in the winning bid and the Initial Reoffering Prices. The successful bidder of each series may not withdraw its bid as a result of any change made within the foregoing limits. The Final Amounts will be communicated to the Successful Bidders as soon as possible, but not later than 5:00 P.M. Eastern Daylight Time on the date of the sale.

The State may also change the call date and scheduled delivery date for each series of the Bonds by notice given in the same manner as that set forth above.

Basis of Award of the Bonds

Unless all bids are rejected, the each series of Bonds will be awarded to the bidder complying with the terms of this Notice of Sale and submitting a bid that provides the lowest "true" interest cost to the State for the respective series of Bonds. True interest cost shall be determined for each bid by doubling the semiannual interest rate, compounded semiannually, necessary to discount the debt service payments from the payment dates to the Dated Date and to the price bid. If more than one bid offers the same lowest true interest cost, the successful bid will be selected by the State by lot, or by any other method that the State chooses. The State reserves the right to reject any or all bids and to waive any irregularity or informality with respect to any bid.

Good Faith Deposit

The respective successful bidders for the Series 2021 A Bonds and the Series 2021 B Bonds are each required to submit a good faith deposit in the respective amounts of $2,000,000 and $142,000, payable to the order of the State (the "Good Faith Deposit") in the form of a wire transfer in federal funds. The Successful Bidders must submit their respective Good Faith Deposit not later than 4:00 P.M., Eastern Daylight Time, on the Date of Sale (the "Wire Transfer Deadline"). The State will distribute wiring instructions for the Good Faith Deposit to the Successful Bidders upon verification of the bids submitted by the bidders and prior to the Wire Transfer Deadline. The successful bidder of each series of Bonds shall provide the federal funds reference number upon request of the State. If a successful bidder fails to comply with the terms of its bid, the related Good Faith Deposit shall be retained by the State as full liquidated damages; otherwise, the amount thereof will be applied to the purchase price of the applicable series of Bonds at the time of delivery. No interest on the respective Good Faith Deposits will accrue to either of the Successful Bidders. If the Good Faith Deposit is not received by the Wire Transfer Deadline, the award of the sale of the respective series of Bonds to the respective successful bidder may be cancelled by the State in its discretion without any financial liability of the State.

Right to Change the Official Notice of Sale and to Postpone or Cancel Offering

The State reserves the right to make changes to this Notice of Sale and change, postpone, from time to time, or cancel the date and time established for the receipt of bids. Any such change, postponement or cancellation will be announced as a supplement to the Notice of Sale and posted on MUNIOS.COM. If the time for the receipt of bids is changed or postponed, any alternative time for receipt of bids will be announced via MUNIOS.COM by 9:00 AM on the morning of the announced date for receipt of bids. If the date for the receipt of bids is changed or postponed, any alternative date for receipt of bids will be announced via MUNIOS.COM not less than 18 hours before the alternative

[1] Preliminary, subject to change.

date for the receipt of bids. Any bidder must submit a bid for the purchase of the Bonds on such alternative time and sale date in conformity with the provisions of this Notice of Sale, except for any changes announced via MUNIOS.COM.

CUSIP Numbers

Public Resources Advisory Group, municipal advisor to the State, will timely apply for CUSIP numbers with respect to the Bonds as required by MSRB Rule G-34. The successful bidder will be responsible for the cost of assignment of such CUSIP numbers.

Undertakings of the Successful Bidders

The Successful Bidders shall each make a bona fide public offering of the applicable series of Bonds and shall, within 30 minutes of being notified of the award of the Bonds, advise the State in writing (via facsimile transmission) of the Initial Public Offering Prices of the Bonds and of the following information.

A. Selling compensation (aggregate total anticipated compensation to the underwriters expressed in dollars, based on the expectation that all Bonds are sold at the prices or yields at which the successful bidder advised the State that the Bonds were initially offered to the public).

B. The identity of the underwriters if the successful bidder is part of a group or syndicate.

C. Any other material information the State determines is necessary to complete the Official Statement in final form.

After the award of each series of the Bonds, the State will prepare copies of the Final Official Statement (the "Final Official Statement") and will include therein such additional information concerning the reoffering of the Bonds as the Successful Bidders may reasonably request; provided, however, that the State will not include in the Final Official Statement a "NRO" ("not reoffered") designation with respect to any maturity of the Bonds. The Successful Bidders will be responsible to the State in all aspects for the accuracy and completeness of information provided by such successful bidder with respect to such reoffering.

Establishment of Issue Price

The Successful Bidders shall assist the State in establishing the issue price of the Bonds and each shall execute and deliver to the State at Closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the applicable series of Bonds, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto as Exhibit A or Exhibit B, as applicable, with such modifications as may be appropriate or necessary, in the reasonable judgment of the applicable successful bidder, the State and Bond Counsel. All actions to be taken by the State under this Notice of Sale to establish the issue price of the Bonds may be taken on behalf of the State by the State's municipal advisor identified herein and any notice or report to be provided to the State may be provided to the State's municipal advisor.

Competitive Sale Requirements. The State expects that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because:

(i) the State has disseminated this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;

(ii) all bidders shall have an equal opportunity to bid;

(iii) the State may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and

(iv) the State anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. Each bidder, by submitting a bid, will be viewed as representing that it has an established industry reputation for underwriting new issuances of bonds.

Failure to Meet the Competitive Sale Requirements — The Successful Bidder Agrees to Hold the Price of Bonds for Which the 10% Test (as described below) is Not Met as of the Sale Date. In the event that the competitive sale requirements are not satisfied, the State shall so advise the Successful Bidders. The State may determine to treat (i) the first price at which 10% of a maturity of the Bonds (the "10% test") is sold to the public as the issue price of that maturity and/or (ii) the initial offering price to the public as of the sale date of any maturity of the Bonds as the issue price of that maturity (the "hold-the-offering-price rule"), in each case applied on a maturity-by-maturity basis (and if different interest rates apply within a maturity, to each separate CUSIP number within that maturity). The Successful Bidders shall advise the State if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds. The State shall promptly advise the applicable successful bidder, at or before the time of award of the Bonds, which maturities of the Bonds shall be subject to the 10% test or shall be subject to the hold-the-offering-price rule. **Bidders should prepare their bids on the assumption that some or all of the maturities of the Bonds will be subject to the hold-the-offering-price rule in order to establish the issue price of the Bonds.**

By submitting a bid, the Successful Bidders shall each (i) confirm that the underwriters have offered or will offer the Bonds to the public on or before the date of award at the offering price or prices (the "initial offering price"), or at the corresponding yield or yields, set forth in the bid submitted by the successful bidder of the applicable series of Bonds and (ii) agree, on behalf of the underwriters participating in the purchase of the Bonds, that the underwriters will neither offer nor sell unsold the Bonds of any maturity to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following:

(i) the close of the fifth (5th) business day after the sale date; or

(ii) the date on which the underwriters have sold at least 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public.

The successful bidder of each series of Bonds shall promptly advise the State when the underwriters have sold 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public, if that occurs prior to the close of the fifth (5th) business day after the sale date.

The State acknowledges that, in making the representation set forth above, the successful bidder of each series of Bonds will rely on (i) the agreement of each underwriter to comply with the hold-the-offering-price rule, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the hold-the-offering-price rule, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event that an underwriter is a party to a retail distribution agreement that was employed in connection with the initial sale of the Bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the hold-the-offering-price rule, as set forth in the retail distribution agreement and the related pricing wires. The State further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the hold-the-offering-price rule and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a retail distribution agreement to comply with its corresponding agreement regarding the hold-the-offering-price rule as applicable to the Bonds.

By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each retail distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such retail distribution agreement, as applicable, to (A) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the successful bidder of each series of Bonds that either the 10% test has been satisfied as to Bonds of that maturity or all Bonds of that maturity have been sold to the public and (B) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the successful bidder of each series of Bonds and as set forth in the related pricing wires, and (ii) any agreement among underwriters relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter that is a party to a retail distribution agreement to be employed in connection with the initial sale of Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to (A) report the prices at which it sells to the public the unsold Bonds of each maturity allotted to it until it is notified by the successful bidder of each series of Bonds or such underwriter that either the 10% test has been satisfied as to the Bonds of that maturity or all Bonds of that maturity have been sold to the public and (B) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the successful bidder of each series of Bonds or such underwriter and as set forth in the related pricing wires.

Sales of any Bonds to any person that is a related party to an underwriter shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

(i) "public" means any person other than an underwriter or a related party;

(ii) "underwriter" means (A) any person that agrees pursuant to a written contract with the State (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the public);

(iii) a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (i) at least 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (ii) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (iii) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other); and

(iv) "sale date" means the date that the Bonds are awarded by the State to the Successful Bidders.

Delivery of Bonds

The Bonds are expected to be delivered on or about June 3, 2021 (unless a notice of change is provided in the manner described above), through the facilities of DTC, New York, New York.

The successful bidder of each series of Bonds will be furnished, without cost, with the approving opinion of the law firm of Jackson Kelly PLLC, Charleston, West Virginia, Bond Counsel, as to the validity and tax status of the applicable series of Bonds, substantially in the form attached to the Preliminary Official Statement.

The Successful Bidders will also be furnished a certificate by the Attorney General of the State stating that no litigation of any kind is now pending or, to his information, knowledge or belief, threatened to restrain or enjoin the issuance or delivery of the Bonds or in any manner questioning the proceedings and authority under which the Bonds are issued, or affecting the validity of the Bonds.

Official Statement

The State will furnish the Successful Bidders an electronic version of the Final Official Statement within seven business days from the date of the award of the Bonds, as specified or required in Rule 15c2-12 (the "Rule") of the Securities and Exchange Commission (the "SEC") and the rules of the Municipal Securities Rulemaking Board (the "MSRB").

The Successful Bidders agree to provide a copy of the Final Official Statement (with any required forms) to the MSRB in electronic format, as prescribed by the MSRB or its designee, no later than ten business days following the Date of Sale. The successful bidder of each series of Bonds shall notify the State as soon as practicable of (1) the date that is the end of the underwriting period (such "underwriting period" is described in the Rule), and (2) the date of filing the Final Official Statement with the MSRB or its designee. The State agrees to advise the Successful Bidders of any "developments that impact the accuracy and completeness of the key representations" (within the meaning of the Rule) contained in the Final Official Statement, which may occur during the requisite time period for such notification.

If the Bonds are awarded to a syndicate, the State will designate the senior managing underwriter of the syndicate as its agent for purposes of distributing copies of the Final Official Statement to each participating underwriter. Any underwriter executing and delivering a bid form with respect to the applicable series of Bonds agrees thereby that if its bid is accepted it shall accept such designation and shall enter into a contractual relationship with all participating underwriters for the purposes of assuring the receipt and distribution by each such participating underwriter of the Final Official Statement, unless another firm is so designated by the syndicate in writing and approved by the State.

Continuing Disclosure

To assist the Successful Bidders in complying with the Rule, the State will agree, pursuant to a continuing disclosure agreement, to provide certain annual financial information and operating data and notices of the occurrence of certain events. A description of this undertaking is set forth in the Preliminary Official Statement for the Bonds and will also be set forth in the Final Official Statement for the Bonds.

Additional Information

For further information relating to the Bonds and the State, reference is made to the State's Preliminary Official Statement. The State has deemed the Preliminary Official Statement to be final as of its date within the meaning of the Rule, except for the omission of certain pricing and other information permitted to be omitted pursuant to the Rule. The Preliminary Official Statement may be obtained from www.munios.com or the State's Financial Advisor, Christine Fay (cfay@pragadvisors.com) and Jessica Donnelly (jdonnelly@pragadvisors.com), Public Resources Advisory Group, 117 Gayley Street, Suite 200, Media, Pennsylvania 19063 (telephone 610-565-5990).

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Dated: May 7, 2021

STATE OF WEST VIRGINIA

By: Jim Justice, Governor

EXHIBIT A

[Expected to be used in the event Competitive Sale Requirements are met.]

ISSUE PRICE CERTIFICATE

$_____
STATE OF WEST VIRGINIA
GENERAL OBLIGATION STATE ROAD [REFUNDING] BONDS
SERIES 2021 [A][B]

The undersigned, on behalf of [NAME OF UNDERWRITER] ("Underwriter"), hereby certifies as set forth below with respect to the sale of the above-captioned obligations (the "Bonds").

1. ***Reasonably Expected Initial Offering Price.***

(a) As of the Sale Date, the reasonably expected initial offering prices of the Bonds to the Public by Underwriter are the prices listed in Schedule A (the "Expected Offering Prices"). The Expected Offering Prices are the prices for the Maturities of the Bonds used by Underwriter in formulating its bid to purchase the Bonds. Attached as Schedule B is a true and correct copy of the bid provided by Underwriter to purchase the Bonds.

(b) Underwriter was not given the opportunity to review other bids prior to submitting its bid.[2]

(c) The bid submitted by Underwriter constituted a firm offer to purchase the Bonds.

2. ***Defined Terms.***

(a) *Maturity* means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate Maturities.

(b) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

(c) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is [DATE].

(d) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents Underwriter's interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Tax Certificate and with respect to compliance with the federal income tax rules affecting the Bonds, and by Jackson Kelly PLLC, Bond Counsel, in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Issuer from time to time relating to the Bonds.

[NAME OF UNDERWRITER]

By:_____

Name:_____

Dated: _____, 2021

[2] Treas. Reg. §1.148-1(f)(3)(i)(B) requires that all bidders have an equal opportunity to bid to purchase bonds. If the bidding process affords an equal opportunity for bidders to review other bids prior to submitting their bids, then this representation should be modified to describe the bidding process.

SCHEDULE A

EXPECTED OFFERING PRICES

(Attached)

SCHEDULE B

COPY OF UNDERWRITER'S BID

(Attached)

EXHIBIT B

[Expected to be used in the event Competitive Sale Requirements are not met.]

ISSUE PRICE CERTIFICATE

$_____
STATE OF WEST VIRGINIA
GENERAL OBLIGATION STATE ROAD [REFUNDING] BONDS
SERIES 2021 [A][B]

The undersigned, on behalf of [NAME OF UNDERWRITER/REPRESENTATIVE] ("[SHORT NAME OF UNDERWRITER]")[(the "Representative")][, on behalf of itself and [NAMES OF OTHER UNDERWRITERS] (together, the "Underwriting Group").] hereby certifies as set forth below with respect to the sale and issuance of the above-captioned obligations (the "Bonds").

1. ***Sale of the General Rule Maturities.*** As of the date of this certificate, for each Maturity of the General Rule Maturities, the first price at which at least 10% of such Maturity was sold to the Public is the respective price listed in Schedule A, attached hereto.

2. ***Initial Offering Price of the Hold-the-Offering-Price Maturities.***

(a) [SHORT NAME OF UNDERWRITER][The Underwriting Group] offered the Hold-the-Offering-Price Maturities to the Public for purchase at the respective initial offering prices listed in Schedule A, attached hereto (the "Initial Offering Prices") on or before the Sale Date. A copy of the pricing wire or equivalent communication for the Bonds is attached to this certificate as Schedule B.

(b) As set forth in the Notice of Sale and bid award, [SHORT NAME OF UNDERWRITER][the members of the Underwriting Group] [has][have] agreed in writing that, (i) for each Maturity of the Hold-the-Offering-Price Maturities, [it][they] would neither offer nor sell any of the Bonds of such Maturity to any person at a price that is higher than the Initial Offering Price for such Maturity during the Holding Period for such Maturity (the "hold-the-offering-price rule"), and (ii) any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any retail distribution agreement shall contain the agreement of each broker-dealer who is a party to the retail distribution agreement, to comply with the hold-the-offering-price rule. Pursuant to such agreement, no Underwriter (as defined below) has offered or sold any Maturity of the Hold-the-Offering-Price Maturities at a price that is higher than the respective Initial Offering Price for that Maturity of the Bonds during the Holding Period.

3. **Defined Terms.**

(a) "State" means the State of West Virginia.

(b) "General Rule Maturities" means those Maturities of the Bonds listed in Schedule A hereto as the "General Rule Maturities."

(c) "Hold-the-Offering-Price Maturities" means those Maturities of the Bonds listed in Schedule A hereto as the "Hold-the-Offering-Price Maturities."

(d) "Holding Period" means, with respect to a Hold-the-Offering-Price Maturity, the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth business day after the Sale Date ([DATE]), or (ii) the date on which [SHORT NAME OF UNDERWRITER][the Underwriters] [has][have] sold at least 10% of such Hold-the-Offering-Price Maturity to the Public at prices that are no higher than the Initial Offering Price for such Hold-the-Offering-Price Maturity.

(e) "Maturity" means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

(f) "Public" means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

(g) "Sale Date" means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is [DATE].

(h) "Underwriter" means (i) any person that agrees pursuant to a written contract with the State (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents [NAME OF UNDERWRITING FIRM][the Representative's] interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the State with respect to certain of the representations set forth in the Certificate as to Tax Matters and Arbitrage and with respect to compliance with the federal income tax rules affecting the Bonds, and by Jackson Kelly PLLC, bond counsel, in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the State from time to time relating to the Bonds.

[NAME OF UNDERWRITER]

By:_____

Name:_____

Dated: _____, 2021

SCHEDULE A

SALE PRICES OF THE GENERAL RULE MATURITIES AND INITIAL OFFERING PRICES OF THE HOLD-THE-OFFERING-PRICE MATURITIES

(Attached)

SCHEDULE B

PRICING WIRE OR EQUIVALENT COMMUNICATION

(Attached)

OTHER

Public Notice

TO WHOM IT MAY CONCERN

Notice is hereby given that SWaN Hilltop House Hotel, LLC (the "Applicant") filed an application with the Executive Director of the West Virginia Development Office on May 5, 2021 for establishment of the Hill Top House Hotel Tourism Development District. The proposed district consists of approximately 10.2 contiguous acres located at, or in the vicinity of, 400 E. Ridge Street, Harpers Ferry, West Virginia, 25425. Included in the application is a plan for development of the district, which is generally described as follows:

> The Applicant proposes to design, acquire, construct and equip, and subsequently own, operate and maintain either directly or through a management agent, a full-service destination hotel, spa, and Annex/Lodge, with such amenities as are consistent with a destination hotel and spa, as well as all necessary infrastructure, appurtenances, facilities and temporary structures required for all of the above, specifically including, but not limited to: roads; sidewalks; improvements; street-scaping; utilities; parking; lighting; signage; and landscaping. The project will be comprised of a new hotel building and will be constructed on the former site of the Hill Top House Hotel in the Town of Harpers Ferry, West Virginia. A new garden walk will span the area between the new hotel and the lodge. Four historic houses originally constructed as housing for workers at the Harpers Ferry Armory will be restored and repurposed as private guest houses. One additional Armory house, along with a former barbershop, will be restored and repurposed possibly as an art studio, and an outfitters for off-site hotel activities. The former hotel-owner's house adjacent to the hotel structure will also be part of hotel operations. The estimated total cost to complete the project is $154,000,000.

Interested persons may inspect the application during normal business hours of the West Virginia Development Office in Charleston, West Virginia, to the extent inspection is permitted under the West Virginia Freedom of Information Act (FOIA), W. Va. Code § 29B-1-1, *et seq.*

Comments either in support of or opposition to the proposed Tourism Development District shall be received until June 1, 2021, via United States mail at the following address:

West Virginia Development Office
ATTN: Executive Director
State Capitol Complex – Building 3
1900 Kanawha Boulevard E.
Charleston, West Virginia 25305

FILED
2021 MAY 13 P 12: 22
OFFICE WEST VIRGINIA
SECRETARY OF STATE